THE MEN WHO MADE TEXAS FREE

HOUSTON PUBLIC LIBRARY
R0119710044

PROPERTY

OF THE

HOUSTON PUBLIC LIBRARY

HOUSTON, TEXAS

T 9764
T D

The Men Who Made Texas Free

The Signers of the Texas Declaration of Independence —Sketches of Their Lives and Patriotic Services to the Republic and State With a Facsimile of the Declaration of Independence

By
SAM HOUSTON DIXON
Author "Poets and Poetry of Texas," "Romance and Tragedy of Texas History," Etc.

Illustrated

Published by
TEXAS HISTORICAL PUBLISHING COMPANY
HOUSTON, TEXAS

81423

Copyright 1924
By
Sim Houston Dixon

DEDICATION

THIS volume is respectfully dedicated to the descendants of the brave and noble patriots whose deeds of sacrifice, daring and valiant services it presents. This is done as a testimonial of the author's high appreciation of the men and women through whose veins runs the red blood of as brave and patriotic ancestors as ever took part in dethroning tyranny and establishing civilization, liberty and freedom.

Digitized by the Internet Archive
in 2012 with funding from
LYRASIS Members and Sloan Foundation

http://www.archive.org/details/menwhomadetexasf00dixo

PREFACE

THIS is the first and only time any one has succeeded in writing a complete life story of all the Signers of the Texas Declaration of Independence. A number of writers have undertaken the work, but abandoned it after writing sketches of those best known in Texas history. They were deterred by the labor required to collect the data necessary to complete the work. When the author undertook the task he realized its magnitude, but entered into it with a full determination to prosecute it to a successful end. In doing this he encountered many difficulties. Some of these men left no descendants and left little record of a private or public character.

The author began the collection of data regarding the lives of the Signers of the Declaration of Independence and the early pioneer patriots of Texas, when a school boy. He knew personally a number of these brave and gallant men and from them he collected a vast storehouse of historical material of the most important and interesting character. The sketches presented here were prepared from the data secured by the author from personal contact with many of the Signers of the Declaration of Independence; from their associates in the early struggles for Texas independence; from the archives from many states; from unpublished manuscripts and from individuals throughout the country. The collection and compiling of this data has required many years of diligent research and arduous labor. But the author has performed the task with enthusiastic delight because he felt that there should be a record made of their sacrifices, hardships and heroic services to the country and to civilization.

The State of Texas has never shown the proper appreciation of this band of patriots who threw off the yoke of Mexican tyranny and established an independent empire. They were as ideal a type of patriots as the world has ever known. They went to Old Washington bent upon a great purpose; they appreciated the occasion, and with amazing celerity they struck a crushing blow to Mexican tyranny.

Many of the brave patriots sprung from almost obscurity, like great oaks from unseen undergrowth. But they put into operation their best thoughts and glowed and shimmered in their autumnal glory and left a record of daring and bravry which charmed the world. It was a time freighted with wighty concern and demanded insuperable courage and unswerving fidelity for there was at stake the lives and liberties of a loyal and patient people.

Those brave men contended with poverty and temptation and endured hardships and privations, but with a heroic courage and conquering perseverance they went forward to remove obstacles that hindered progress, peace and liberty. The persecutions and cruelties inflicted upon them and their country brought into exercise their most commanding faculties and into prominence their most affluent patriotism.

This record of their lives and achievements was written in reverence for their memoris, their deeds of valor and patriotic devotion to the principle of liberty.

CONTENTS

	Page
Title Page	1
Dedication	3
Preface	5-6
Contents	7-8
Introductory	9-18
Convention at Old Washington	19-30
Declaration of Independence	31-42
Bedgett, Jesse B.	343-345
Barnett, George W.	53-56
Barnett, Thomas, J.	57-60
Blount, Stephen W.	99-102
Bower, John White	67-69
Briscoe, Andrew	71-76
Bunton, John W.	107-110
Byrom, J. S. D.	103-105
Caldwell, Matthew	81-84
Carson, Samuel P.	77-79
Childress, George C.	47-50
Clark, W. Jr.	111-114
Coleman, Robert M.	255-258
Collingsworth, James	115-117
Conrad, Edwin	119-121
Crawford, William Carroll	85-91
De Zavala, Lorenzo	137-146
Ellis, Richard	41-45
Everett, Stephen H.	301-302
Fisher, S. Rhodes	273-275
Fisher, John	277-281
Gaines, James	303-306
Gazley, Thomas J.	93-97
Goodrich, Benj. B.	323-326
Grimes, Jesse	307-309
Hamilton, James	295-297

Hardeman, Bailey 299-300
Hardin, Augustine B. 287-290
Houston, Sam 155-180
Lacy, William D. 133-136
Latimer, Albert H. 61-65
Le Grand, Edwin O. 291-294
McKinney, Collin 259-264
Maverick, Samuel A. 265-271
Menard, Michael B. 283-286
Menefee, William 227-231
Moore, John W. 233-237
Mottley, William 197-201
Navarro, Jose Antonio 243-247
Parmer, Martin 147-154
Pennington, Sidney O. 193-196
Potter, Robert 219-221
Power, James 215-218
Roberts, John S. 249-253
Robertson, Sterling C. 187-192
Ruiz, Francisco 315-318
Rusk, Thomas J. 181-186
Scates, William B. 311-314
Smyth, George W. 123-131
Stapp, Elijah 223-225
Stewart, Charles B. 239-241
Swisher, James G. 209-213
Taylor, Charles S. 203-207
Thomas, David 319-321
Turner, John 329-332
Waller, Edwin 337-342
West, Claiborne 333-336
Woods, James B. 327-328

NOTICE
Please do not write in this
book or turn down the pages

INTRODUCTION

Some Reference to the Signers of The Declaration of Independence—A Glimpse of Pioneer Life in Texas.

AS is set forth in Chapter One "The instrument proclaiming Texas independent of Mexico was the Magna Charta of the Texas Republic. Excepting the Declaration of Independence proclaimed by the American Colonies at Philadelphia, July 4, 1776, no instrument recorded in the annals of American history has had a more potential influence over the destinies of the people of the United States. It changed the map of the North American continent and plunged two nations in war."

The men who assembled in convention at Old Washington, March 1, 1836, and proclaimed Texas free and independent of Mexico, were as noble a band of statesmen and heroes as ever assembled in any country for any cause. We should preserve with pride the memories of these noble patriots who, in the very face of the enemies' cannon, proclaimed Texas a free and independent nation, knowing that by their acts they forfeited their freedom—yes, their very lives, had Santa Anna succeeded in the execution of his unholy designs. But they had determined their course and, in spite of winds and storms, in spite of hardships and poverty, in spite of difficulties and sacrifices, they labored on with invincible fidelity and unswerving confidence, giving glory to history. They found gratification and delight in their work. It occupied their morning hours and lingered in their midnight dreams. It was the wine cup from which they drank their inspiration.

The careers of many of these stalwart heroes have never been surpassed in tragic and romantic interest by those of any character in history. Their achievements became a wonder and a glory.

Many of this band of valiant heroes became distinguished leaders in the Texas Revolution against Mexico, and many of them

rendered eminent services to the Republic and State in after years. In recognition of their lofty patriotism and distinguished services to the country, twenty-six of the counties of the State bear their names. Twenty-six of them served in the Congress of the Republic; eight in the Senate and eighteen in the House of Representatives. One of them became the first President of the Republic. One of them became Vice-President of the Republic. One of them became Vice-President of the Republic *ad Interim.* One became the first Chief Justice of the Supreme Court of the Republic. Two became Senators in the United States Congress, and one became a reprsentative in the United States Congress. Six of them became members of President Burnet's Cabinet. Two served in Houston's first administration; one became a member of his second adminisitration and one became a member of Lamar's administration as President of the Republic.

Those for whom the twenty-six counties were named are as follows: Andrew Briscoe, Mathew Caldwell, Samuel P. Carson, George C. Childress, Robert M. Coleman, James Collingsworth, Richard Ellis, S. Rhodes Fisher, James Gaines, Jesse Grimes, Bailey Hardeman, A. B. Hardin, Sam Houston, Samuel A. Maverick, Collin McKinney, Michael B. Menard, William Mottley, Martin Parmer, Jose Antonio Navarro, Robert Potter, Sterling C. Robertson, John S. Roberts, Thomas J. Rusk, James G. Swisher, Edwin Waller and Lorenzo de Zavala.

Sam Houston became the first President of the Republic of Texas, and Lorenzo de Zavala became Vice-President of the Republic *Ad Interim.*

James Collingsworth became the first Chief Justice of the Supreme Court of the Republic and Thomas J. Rusk became Chief Justice of the Supreme Court of the Republic.

Those who served in the Cabinet of President Burnet were Samuel P. Carson, James Collingsworth, Robert Potter, Thomas J. Rusk, David Thomas and Bailey Hardeman.

Those who served in Houston's first cabinet were S. Rhodes Fisher and Thomas J. Rusk.

Edwin Waller served in Lamar's cabinet.

The following served as members of the House of Representatives of the Congress of the Texas Republic: J. W. Bunton, first and second Congresses; Thomas Barnett, third and fourth; J. W. Bower, sixth and seventh; William Clark, second; Thomas J. Gazley, second; Jesse Grimes, sixth and seventh; Sam Houston, fourth and fifth; A. H. Latimer, fifth and sixth; Collin McKinney, first and second; William Menefee, second, third, fourth, fifth and sixth; M. B. Menard, fifth; Samuel A. Maverick, seventh and eighth; Jose Antonio Navarro, third; Sidney O. Pennington, first; James Power, second; Thomas J. Rusk, second and third; G. W. Smyth, ninth; Claiborne West, first congress.

Those serving as members of the Senate of the Republic were James Collingsworth, first; Richard Ellis, first, second, third and fourth; Stephen H. Everett, first, second, third, fourth and fifth; James Gaines, sixth; Jesse Grimes, first, fourth, eighth and ninth; Robert Potter, fifth and sixth; Sterling C. Robertson, first and second; Francisco Ruiz, first Senate.

Eleven of these men participated in the Battle of San Jacinto and one, Dr. William Mottley, fell mortally wounded on the battlefield.

Those participating in this conflict were Sam Houston, Dr. William Mottley, R. M. Coleman, Thomas J. Rusk, James Collingsworth, Andrew Briscoe, Charles Stewart, John W. Bunton, William Scates, E. O. LeGrand and S. W. Blount.

It is proper to state that while the records of the army do not show that Sterling C. Robertson took part in the battle of San Jacinto, the records of the General Land Office contain proof that he did. Then, too, there is strong evidence that William D. Lacy participated in this battle. Nine of the eleven referred to here were reported by General Houston as participating in the battle of San Jacinto and the accuracy of which there can be no question.

Sam Houston and Thomas J. Rusk became distinguished members of the Senate of the United States Congress.

George W. Smyth served as a representative in the United States Congress.

Many more of these patriots became prominently identified with public affairs in Texas after it became a State of the Union, some serving on the bench, some in the army and some in legislative halls.

The records show that sixty-two delegates were elected to the convention which adopted the Declaration of Independence and that fifty-eight of these took part in the convention's proceedings and affixed their names to this instrument. James Kerr, J. J. Linn and Juan Antonio Padillo were regularly elected delegates to the convention, but having been unavoidably detained, reached Washington too late to participate in the convention. The fifty-eight delegates signing the Declaration of Independence were as follows:

Jesse B. Badgett, G. W. Barnett, Thomas Barnett, Stephen W. Blount, J. W. Bower, Andrew Briscoe, J. W. Bunton, J. S. D. Byrom, Mathew Caldwell, Samuel P. Carson, Geo. C. Childress, W. Clark, Jr., Robert M. Coleman, James Collingsworth, Edward Conrad, W. C. Crawford, Richard Ellis, Stephen H. Everett, John Fisher, S. Rhodes Fisher, James Gaines, Thomas J. Gazley, B. B. Goodrich, Jesse Grimes, Robert Hamilton, Bailey Hardeman, A. B. Hardin, Sam Houston, William D. Lacy, Albert H. Latimer, E. O. LeGrand, Samuel A. Maverick, Collen McKinney, William Menefee, M. B. Menard, John W. Moore, William Mottley, Jose Antonio Navarro, Martin Parmer, Sidney O. Pennington, James Power, Robert Potter, Sterling C. Robertson, John S. Roberts, Francisco Ruiz, Thomas J. Rusk, W. B. Scates, George W. Smyth, Charles H. Stewart, Elijah Stapp, James G. Swisher, Charles S. Taylor, David Thomas, John Turner, Edwin Waller, Claiborne West, James B. Woods, Lorenzo de Zavala.

The proceedings of the convention show that Ira Brigham, from Brazoria, took his seat as a delegate March 2nd. His name, however, does not appear as a signer to the Declaration of Independence. The proceedings do not disclose the reason for this omission.

Tardy recognition has been given the memory of many of these pioneer patriots who laid the foundation for liberty and

civilization in this imperial commonwealth. Too little is known of their splendid character, their courage, their sacrifice and their achievements. The first pioneers of Texas endured many privations and hardships in the wilderness of Texas. Those who followed them and brought their families, plows, livestock and laws endured almost as many privations and hardships as those who broke the quiet of the wilderness and were the first to penetrate its fastness. These first furnished the faith, the hope, the brawn and brain needed to meet the problems presented to civilized man when he came to the silent wilderness and started the work of establishing civilization where civilization had never existed before. It not only required faith and hope and brawn, but brains were needed because each man was a working unit who had to meet and solve a great variety of vital problems. His very existence depended on his solving them for an empty wilderness is a grim place whether it be a desert, a forest or a grass land shining with promise. These problems exist in every virgin country, in comparative degree, and they existed in the wilderness of Texas.

It matters not where we are we must eat, have shelter, water and health, or we are helpless. The pioneers had to see that they had all these things from day to day, it mattered not what else happened. To secure these they fought storms, cold, drought, floods, fires, insect pest and savage human foes. All these things rendered life miserable and endangered the health of the pioneer and likewise that of his family. The list of his privations and hardships was long and the bed of the pioneer was not one of roses. It was one continued struggle between safety and comfort, or a fight for life itself in the early days of wilderness living in Texas.

"If they did not have a nail, they did have a piece of raw hide and that would hold and build as well as the nail, if one knew how to use it. If they didn't know how they must learn to use what they had some way, because they could not get what they wanted, therefore they learned to make a hole through wood and thread a raw hide string through it and let it dry there, and

81423

by so doing they had a joint equally as strong as if made by a nail.

"Thus it was with everything. If they had no flour they must get along with corn which they raised in their crude fashion and ground or beat into meal. If they had no clothes, they must use skins of animals. If they had no needles and thread, they must sew with a bone awl and a sinew from the back of a deer or buffalo. They had to find a way. And they did.

"All of these things developed a race of men and women who knew how to do things—to meet emergencies—to use what was at hand and make it do.

"These privations caused many inconveniences and hardships, but they bred patience, tolerance and the broadest charity in the world, for the pioneer would give you his shirt if you needed it more than he did, and he would consider it the right thing to do for he knew his own ability and strength, and had all the confidence in the world in his own knowledge and activity being able to supply another shirt for himself. He was built just that way; and his every day life kept him trained to the minute, so it is not so much a wonder that he got along.

"While these pioneers bore the many privations and hardships with a patience unequalled in the world's history, they did not desire that they be meted out to their offspring by the same standard of measurement. They wanted schools, churches, law, society, home comforts and opportunity for their boys and girls, and they strove to obtain them. In his desire of easement of hardships and privations which he bore, he overlooked the benefits that they conferred upon those who met and conquered them. Hardships and privations bred ability and self-reliance and built up personality and character as nothing else ever did; and the pioneer, already graduated from the school of hard experience, fended these hard knocks off of his boy and girl, little thinking he would set back his descendants a good many years in the scale of self-help and individual advancement by doing it, or that his children would ever forget how to do things which he had to know how to do to live.

"The pioneer had to find a way to do things because he could not depend on anyone else to do anything for him, nor could he go to his neighbor for this or that thing he might need. As for running down to a store and ordering what he wanted as is done now-a-day, that was catalogued among the things entirely beyond the wildest dream of the possible. It just couldn't be done, and that ended it. Therefore he depended on what he had, plus his ability to do, and his capacity to plan and think out what and how to do.

"That was the every-day way of life that the early pioneer accepted as a matter of course; and as the regular condition under which they must live and civilize a wilderness.

"With no domestic food animals and with plenty of wild game to be had for the killing, every man knew how to shoot and trap and fish. It was not enough to know how to do these things, but one must know how to kill with the least outlay of powder and lead, for both were hard to secure, expensive and must be brought long distances, at the risk of loss in many ways; therefore when one used enough powder and lead to load his gun, he reduced his stock on hand just that much and could not replace it without travel, time, money and risk.

"This is why the Texas pioneers could shoot better than any class of men who ever shot in the history of firearms. It developed accuracy of eye and aim, perfect nerve and such an exact knowledge of vital anatomy that a round ball from one of their old set-trigger rifles was about as modern as a 14-inch shell, because when it was fired it went to a vital spot and likely did not miss center by an eighth of an inch. The gunner did not dare to allow even an eighth of an inch for average inaccuracy, as that much of an element of chance might, for instance, mean the instant death of a buffalo bull, a bear or deer at close range; or it might give time enough between the shot and death of the animal for it to reach the shooter and kill him before he could reload. Guns in those days were loaded from the muzzle with loose powder poured in, wadded, rammed down and then the

bullet set on top of the wad and a wad was rammed down on the bullet to hold it fast. All this took time to do, especially if it happened to be raining, snowing or bitterly cold as it very often was. The snug little brass cartridge of high explosive powder fired from guns that send a stream of lead flying from the muzzle were as yet undreamed of when the Texas pioneer fought his fight with the raw wilderness.

"The pioneer lacked a lot of things which we of today consider necessities, because we do not have to exact knowledge of a multitude of things touching our every-day lives, and do not have to do everything for ourselves as they did. He had no such a thing as electricity or gas to furnish him light. He had to read from the light of a torch. The pine knot furnished his favorite light. We read in the early history of Texas that the pioneers residing in the pine timber section, when going to other sections of the country, carried with them a supply of pine knots thickly gummed with rosin; and that when the pioneers from other sections visited the pine section, they always supplied themselves with this choice fuel. It furnished the light for the dance and many other social functions.

"The commonest comforts of today were not a part of pioneer life; but the pioneer dreamed of ease and comforts and leisure just as we all do. He did not shirk his work or wail at conditions under which he lived, but did have very firmly fixed in his mind the idea that while his life might be hard and lived under conditions which he could not change, he did not propose for a minute to let his sons and daughters bear the hardships he bore. He'd change that; his children should have a chance to get on in life such as he had never been able to have for himself since he had undertaken to conquer the wilderness; and he worked to carry his dream to fulfillment. He came to the raw wilderness with a slow ox-team and wagon, wherein his wife rode among the family possessions and that outfit represented his all in the world to start with in the Texas wilds. The rest he must create. And he did. His children were mothered and raised under

scant and hard conditions, but they grew up strong, virile and healthy because they lived in the open and fed on nature's foods. When they grew to be large and old enough to need schooling the pioneers got together and provided schools of some kind. Likely as not, one of their own women taught the brood of offsprings, for very many of the pioneer mothers were educated and qualified to take the highest place in the social world. So it is a matter of history that the sons and daughters of these pioneer families were not raised in ignorance of the fundamental of learning. They did not grow up ignorant and uncouth, but secured a broad foundation of book learning backed by a splendid schooling of practical work needed in every day life, so that they were able to do their own thinking and doing also much as their fathers did.

"From this class some of the greatest American men and women of history have sprung; and that was a natural thing to expect. They outlived the hard conditions of their fathers, and many of them are alive to-day, living examples of a system that developed the best in human nature, having been taught thrift, tolerance, broadmindedness along with the ability to think and do for themselves. Thus they carried out the dreams of the old pioneer who strove always with the idea that their offspring shall not be deprived of the comforts which they themselves could not attain.

"The plow has wiped out the buffalo trail and the auto skims over the smooth paved road where the pioneer ox-team wallowed along roads bottomless in mud, doing one, two and some times three miles an hour. Cities have sprung up on the very spots where the pioneers wrestled with the red men for the supremacy of the land, and heavy-ladened vessels plow over the same waters where rude canoes smoothly glided when the indomitable pioneers were in quest of food from stream and bays."

The pioneer "MEN WHO MADE TEXAS FREE"—the Signers of the Declaration of Independence—whose lives and deeds of valor and heroism are recorded in these pages, lived amid scenes of hardships and privations, but they were men of

sterling worth, of sternness, of firmness, and complained not of their fate. They were lovers of Justice and Liberty and to establish these they offered their lives as a sacrifice on the altars of their country. Their names—their deeds—their sacrifices—their memories—deserve the reverence of every lover of Justice and Liberty in every country, in every clime.

The Convention at Old Washington, March 1, 1836.

Review of Events Leading up to Texas Independence—Committee Reports—Oragnization of Government Ad Interim—Election of Officers—Fac-simile of the Declaration of Independence.

The instrument proclaiming Texas independent of Mexico was the Magna Charta of the Texas Republic. Excepting the Declaration of Independence proclaimed by the American colonies at Philadelphia, July 4, 1776, no instrument recorded in the annals of history has had more potential influence over the destinies of the people of the United States.

The events which led up to the convention at Old Washington, which declared Texas free from Mexico, were momentous in driving the Texas colonies to resistance. They had for years patiently borne with Mexican duplicity and intrigue. They recognized the supremacy of Mexican rule and law and were sincere in their desire to obey them. As late as November, 1835, the Texans declared in convention that "they will continue faithful to the Mexican Government as long as that nation is governed by the constitution and laws that were formed for the government of the political associates." When Santa Anna and the other military chieftains overthrew the federal constitution of Mexico and dissolved the social compact which existed between Texas and other members of the Mexican Confederacy, the Texans declared that "they were no longer morally or politically bound by the compact of union * * * yet they offered their support and assistance to such members of the Mexican Confederacy as will take up arms against military despotism."

For years the leaders among the colonists had advised patience and forbearance, hoping that a peaceful solution of the troubles arising could be reached without resorting to war. But the intolerable exactions of the Mexican rulers finally swept aside every desire they had to remain a dependence of that country. It was then they grew impatient and rose in revolt.

The Consultation that met at San Felipe in November, 1835, was the first time the colonists had publicly expressed a spirit of

rebellion against Mexican despotism. And even then there were those among the delegates to this convention who were hopeful that a permanent separation from Mexico might be averted, and contented themselves by having the convention to declare that "they hold it to be their right, during the disorganization of the Federal System and the reign of despotism, to withdraw from the Union and establish an independent government or adopt such measures as they may deem best calculated to protect their rights and liberties."

As an indication that the leaders in that convention believed it still possible to avoid a permanent separation from Mexico, a proposition to at once adopt a declaration of independence was voted down, and they organized a provisional State Government and elected a Governor, Lieutenant-Governor and Legislative Council. This was but carrying out the plan of 1833, to establish Texas as a separate State from Coahuila. The General Council was given power to call a convention with plenary powers. This convention was called to meet at Old Washington, March 1, 1836. When it met it was clear that the hope for a settlement of the differences had for ever been dissipated and the convention was unanimous for a permanent separation and a declaration of independence.

It will be recalled that in 1832, and again in 1833, the colonists held conventions in which they united in presenting to Santa Anna their grievances arising from the passage of laws and decrees during the brief reign of Bustamente. Texas and Coahuila were consolidated into one state in 1827. This, the Texans claimed, was only a temporary arrangement, and in their convention in 1833 they memorialized the Mexican government to give Texas a separate state government, setting out that the Constitution of 1824 guaranteed to Texas the right of having a state government whenever she may be in condition to ask for the same, referring to the language of the Constitution which read: "As soon as Texas shall be in condition to figure as a state of itself, it shall inform Congress thereof."

The Convention of 1833 adopted a Constitution for the State and elected Stephen F. Austin, Dr. John B. Miller and Erasmo

Seguin, commissioners to present the memorial and constitution to the Government at the City of Mexico and ask for the ratification of the State constitution. They were also instructed to request a modification of the decree prohibiting further immigration to Texas from the United States. Austin, was the only one of the Commissioners to go to the City of Mexico. He was unable to see Santa Anna, but he laid the Memorial and State Constitution before Vice-President Farias. He succeeded in having the decree prohibiting further immigration from the United State modified, but failed to secure the ratification of the State Constitution. Austin left the City of Mexico, December 10, 1834 and started back to Texas, but he was later arrested and thrown into prison. Here he remained until the following July. In the meantime Santa Anna had overthrown the Constitutional Government of Mexico and declared himself dictator. When Austin reached home he found the colonists organizing for defense, and recommended the calling of a general consultation to outline a course of procedure. While this convention was in session the first battle of the Texas Revolution was fought near Gonzales. This battle was closely followed by the Texans driving General Cos and his troops out of San Antonio. Cos was a kinsman of Santa Anna, and when he learned of Cos' defeat he fell into a rage and threatened revenge.

The convention at Old Washington was the fourth convention held by the Texas colonists represented by regularly elected delegates fresh from the people. This was the only medium through which they could present to the Mexican Government their views, desires and ambitions. Many things had transpired in Mexico having a direct bearing on Texas, previous to 1830, when the Decree of Bustamente startled the world. While this decree was objectionable to the Texans throughout, Article Eleven was particularly disquieting. It read as follows:

"Art. 11. In accordance with the right reserved by the General Congress in the 7th article of the law of August 18, 1824, it is prohibited that immigrants from the nations bordering on this republic shall settle in the states or territory adjacent to their

own nation. Consequently, all contracts not already completed and not in harmony with this law are suspended."

When this decree was promulgated it created great alarm among the Texans, as it was violative of the Constitution of 1924 and was known to be aimed directly at the peace and quiet of the colonists. Soon after this infamous decree had reached Texas and its provisions became known, the Texans espoused the cause of Santa Anna who was leading a revolution against Bustamente. A convention was called to meet at San Felipe, October 1, 1932, for the purpose of enabling the colonists to present to the Mexican Government certain conditions which had greatly disturbed the quiet of the colonists. The officers calling this convention had no thought of rebellion. The object was to lay before Santa Anna their grievances against certain acts of a government he was struggling to overthrow. The Texans naturally imagined that this course would be pleasing to Santa Anna.

The convention met at San Felipe, October 1, 1832, and fifty-six delegates took their seats. Stephen F. Austin was elected President and Francis W. Johnson, Secretary.

During the first day's session a committee was appointed to prepare a memorial to the general government of Mexico, praying for the repeal of artcle eleven of the law passed April 6, 1830, known as Bustamente's Decree. This committee was also instructed to set out a record of the toils, difficulties and dangers encountered by the Texas colonists and their respect and attachment to the constitution and laws of Mexico. Committees were also appointed to draft a memorial praying for the reduction of duties on articles of necessity imported into Texas; to consider the land business east of the San Jacinto river; to inquire into Indian affairs and to report on the best mode of regulating custom houses, etc. A committee was also appointed to prepare a petition to the government of Coahuila and Texas praying for donation of land for the purpose of creating a fund for the establishment of primary schools. *This was the first time in Texas when the question for primary schools was con-*

sidered. On the third day of the convention a resolution was adopted by a vote of 36 to 12 providing for the appointment of a committee to prepare a petition to the general government to establish a state government for Texas, independent and separate from Coahuila.

Nothing in the proceedings of the convention showed resistance or rebellion against the Mexican government. All of its proceedings show that the delegates recognized the authority of the general government and in no sense were they rebellious as was claimed by a few Mexican residents of San Antonio, who refused to participate in the convention.

All the memorials adopted by the convention were forwarded to the general government, and William H. Wharton and Don Rafael Manchola, were appointed commissioners to Saltillo and Mexico City, to urge the state government and general government to give consideration to the memorials. But nothing ever came of these petitions. The ignoring of them did not dishearten the Texans. So early in the year 1833, the permanent Advisory Committee, created by the convention of 1832, called a second convention at San Felipe in April, 1833. This convention was composed likewise of fifty-six delegates. Sam Houston appeared as a delegate to this convention, being his first appearance before a state-wide meeting of Texans.

This convention was organized by electing Wm. H. Wharton President, and Thomas Hastings Secretary. The main object of this convention was to prepare a constitution for Texas to be offered the government at Mexico for approval. This constitution was framed by the following committee: Sam Houston, Chairman; Nestor Clay, R. M. Williamson, James Kerr, Oliver Jones, Luke Leassier and Henry Smith. The work of this convention was largely a duplication of the convention of 1832, with the exception of the actual framing of a State Constitution for Texas. Stephen F. Austin, James B. Miller and Erasmo Seguin were appointed Commissioners to present the proposed constitution to the authorities at the City of Mexico and to urge its ratification. Mr. Austin, however, was the only commissioner

to go to the City of Mexico. The government refused to consider the proposed constitution, but agreed to a modificatin of the decree prohibiting immigrants from the United States into Texas.

Mr. Austin, was later thrown into prison where he was held until the summer of 1835. A full acount of this may be found in a chapter in the book, "ROMANCE AND TRAGEDY OF TEXAS HISTORY," a companion volume to this one.

When Mr. Austin arrived in the City of Mexico he found Santa Anna absent from the Capitol and the government in the hands of Farias, Vice-President.

The imprisonment of Mr. Austin greatly aroused the people of Texas, and when he reached Texas he found the colonists ready for revolution. Mr. Austin, had long urged them to be patient, feeling that they would at last receive fair and just treatment from the Mexican government. But his detention in Mexico caused him to realize that his hopes were baseless and he agreed with the leaders of the State that a general consultation should be called to consider the proper course to pursue and, if need be, to prepare for war. He realized that Santa Anna was determined to bring the Texans in subjection and to ignore the constitution of 1824, which he had pledged to defend and uphold.

Mr. Austin's return to Texas was hailed as the beginning of a new era, as he was at once elected Chairman of the San Felipe Committee of Safety. He acknowledged himself to be in full sympathy with the people in their determination to organize for defense.

A consultation of all the people was called to meet at San Felipe, October 16, 1835. A quorum of delegates did not appear in San Felipe, however, until November 3rd. Dr. Branch T. Archer, was elected President and Peter B. Baxter Secretary. On taking the chair Dr. Archer arraigned the Mexican government in the strongest terms. This was the keynote speech and prepared the minds of the delegates for the work mapped out for them. This convention did not follow the tactful course of those of 1832 and 1833. There were no memorials

to the Mexican government, no pledge of loyalty to the Mexican government. But in defiance of Mexico it set about to perfect the organization of a government independent of Mexico. A declaration was adopted setting forth the causes which impelled them to take up arms against Mexico, and offered no apology for so doing. The convention adopted a plan for organization of a provisional government. It was adopted as the organic decree. It contained twenty-one articles. A provision was also made for the organization of an army for military defense.

On November 12th the convention preceeded to the election of officers under the organic law. Henry Smith was elected Governor and James W. Robinson, Lieutenant-Governor. It also elected members of a General Legislative Council, composed of one member from each municipality of the state. Sam Houston was elected Major-General, to be Commander-in-chief of all the forces in Texas. All the officers took the oath of office. Branch T. Archer, Wm. H. Wharton and Stephen F. Austin, were appointed agents to the United States. Thus a new government was born, and entered at once upon its duties, enacting such laws and decrees as seemed necessary to bring order out of chaos. Having finished its work the convention adjourned, leaving the affairs of the government in the hands of the Governor and Council.

The provisional government began to function at once. The Council passed many laws for the government of the state, all of which ignored Mexican authority in toto. The Texans had thrown down the gauntlet to Santa Anna, and his anger grew to fever heat. He hurried in his plans to invade the state and crush the spirit of rebellion which everywhere grew more defiant.

In the meantime the Executive Council transcended its authority and passed ordinances which met executive disapproval. Confusion became ripe. They disorganized what little military authority that had been established, and issued military commissions promiscuously. The breach between the executive and legislative department was complete, and discord and confusion followed. Fortunately before the break between the Governor

and Council had reached a stage where it could not be welded an ordinance calling a convention to meet at Old Washington, March 1, 1836, was passed and approved. This convention was to be composed of delegates having plenary powers. IT SAVED TEXAS.

This convention was the fourth to be held by the colonists and because of its nature was by far the most important of them all.

The convention met promptly on the date fixed in the call and proceeded at once to organize and entered upon its mission with enthusiasm. Richard Ellis, was elected President. The other officers elected were: H. S. Kimble, Secretary; E. M. Pease, Assistant-Secretary; Iram Palmer, Sergeant-at-arms; John A. Hizer, Doorkeeper and M. Saul, Engrossing Clerk. The organization of the convention having been perfected, the chair announced the convention ready for business.

For a short period profound silence reigned. It was a terrible moment. Each delegate seemed to be overwhelmed by the magnitude of the work they were about to undertake. But there was no one in that assembly of patriots afraid. There was no one who doubted that the moment had arisen when a decisive blow to tyranny should be struck. "Just how to proceed," said Mr. Pease, "was the only element of doubt in the minds of some of the delegates. But this did not long disturb them. There were those among the delegates who had had long experience in matters of a kindred nature and they blazed the way for action."

Every delegate present was aware of the disorganized condition prevailing in the army, of the refusal of men commissioned by the Council to obey the orders of the Chief Military Commander. They knew that Fannin and Johnson and Grant had commands in the field and recognized no superior officer. They appreciated that with this condition confronting them their task was a difficult one. But they soon became engrossed in other matters of grave concern, forgetting for the moment the menacing situation, and became submerged in the work they were called to do.

On the first day of the convention, Mr. George C. Childress, introduced a resolution which was adopted without debate, providing for the appointment of a committee of five delegates to draft a declaration of independence from Mexico. President Ellis forthwith appointed the following on the committee: George C. Childress, chairman, James Gaines, Edwin Conrad, Collin McKinney and Bailey Hardeman.

In discussing the action of this committee with Mr. Pease, a number of years before his death he said: "It was generally understood that Mr. Childress brought the draft of the Declaration of Independence with him to the convention and that it was submitted to and received the approval of several leaders of the convention. There is little doubt, but that this is correct because very soon after the committee met it was rumored that a declaration of independence had been agreed upon."

On the second day, March 2nd, Robert Potter, introduced a resolution providing for the appointment of a committee consisting of one member from each municipality represented, to prepare a constitution for the Republic of Texas. The resolution was adopted and the following were appointed on the committee: Martin Parmer, San Augustine, Chairman; Robert Potter, Nacogdoches; Charles B. Stewart, San Felipe; Edwin Waller, Brazoria; Jesse Grimes, Washington; Robert Coleman, Mina; John Fisher, Gonzales; John W. Bunton, Bastrop; James Gaines, Sabine; Lorenzo de Zavala, Harrisburg; S. H. Everett, Jasper; Bailey Hardeman, Matagorda; Elijah Stapp, Jackson; W. Carroll Crawford, Shelby; Claiborne West, Jefferson; Jose Antonio Navarro, Bexar; Collin McKinney, Red River; William Menefee, Colorado; William Mottley, Goliad; Michael B. Menard, Liberty.

On the following day, March 3rd, the following were added to the committee: Sam Houston, Refugio; Robert Hamilton, Red River; James Collingsworth, Brazoria and David Thomas, Refugio.

On March 2nd, Mr. Childress, chairman of the committee to draft the Declaration of Independence, presented his report to

the convention. Its reading created great enthusiasm. On motion of Sam Houston, the Declaration of Independence was adopted. It was then enrolled and signed by each of the delegates.

After the adoption and signing of the Declaration of Independence, and while waiting for the report of the committee on the constitution for the Republic, the convention disposed of several important matters. On March 3rd, it adopted a resolution closing the land office and forbade the commissioners from issuing titles to lands and authorizing the organization of a regiment of rangers. On March 4th, it elected Sam Houston, "Commander-in-Chief of all the land forces of the Texas army, regular, volunteer and military, while in active service."

On the 7th, the convention passed a resolution declaring all male inhabitants of Texas between the ages of seventeen and fifty, subject to military duty, and providing for the immediate organization of a military force.

On March 14th, land bounties were increased. Those who should serve throughout the war were to receive 1280 acres and corresponding amounts were to be allowed those who served for a shorter time.

The constitution was reported on the 17th. It was adopted without much delay. The convention then took up the question of establishing a government *Ad Interim* in conformity to the provisions of the constitution. David Burnet, was elected President; Lorenzo de Zavala, Vice-President; Samuel P. Carson, Secretary of State; Bailey Hardeman, Secretary of the Treasury; Thos. J. Rusk, Secretary of War; Robert Potter, Secretary of the Navy, and David Thomas, Attorney General.

Just before the convention met Santa Anna crossed the Rio Grande with his armies. He put to the sword the brave defenders of the Alamo and committed other most henious crimes, and was preparing to invade and destroy the whole territory east.

When the convention adjourned many of the members joined the army of defense, or took part in giving aid to families who were fleeing before Santa Anna's invading armies.

Coming back to the events which brought Texas to resist the Mexican government, these observations may not be out of place. The breach between the Americans and Mexicans continued to widen primarily because the Mexicans mistrusted the Texans and the Texans mistrusted the Mexicans. This condition was not calculated to maintain permanent peace. The Mexicans could not forget the Fredonian revolt, the incident of driving Bradburn from Anahuac, the Capture of Fort Velasco and the humiliation heaped upon Pedras at Nacogdoches. The Texans were justified in the course they pursued and it should have pleased Santa Anna as the revolt was against Bustamente whose reign Santa Anna was attempting to cut short.

When the news of Edwards' revolt reached Mexico the Mexicans were aroused and began preparation to invade Texas both by land and sea, as they imagined that the whole province of Texas was afire with the spirit of rebellion and that Edwards' course was upheld by the United States. They soon learned, however, that Edwards' rebellion was a local one and that he was not upheld by the Texans of the other colonies. While this had the appearance of satisfying the Mexicans the memory of the revolt could not be erased from their minds.

Another thing which kept the Mexicans at fever heat of excitement was the action of the United States Minister to Mexico in his efforts to secure Texas from the Mexican government, by fair or foul means. He made all kinds of propositions to the Mexican officials regarding the purchase of the province of Texas, and this constant agitation kept the Mexicans in a bad humor.

The crowning event of all, to fan the flame of Mexican mistrust, was the visit to Texas of General Teran, in 1827-1828. His report of the conditions in Texas was unfavorable to peace between Texas and the general government of Mexico. After a lengthy discussion of conditions as he found them in Texas, he indicated plainly that he forsaw the loss of Texas to the Mexican government, and recommended the strengthening of the Mexican colonies in Texas. Teran was the Commante General of the

Eastern Province of Mexico, which included Texas, and he kept a watch on Texas and her colonies. He made many recommendations, the most of which were enacted into law by Bustamente's congress. Among these was the establishment of military posts in Texas for the ostensible purpose of protecting the country against Indians, but in fact to prevent a Texan revolt which he predicted would occur as soon as the Texans felt strong enough. It was the carrying out of his programme that took form in the Decree of Bustamente in 1830, and which was the hammer to drive the wedge of division and discord further.

Many events of a thrilling nature occured in Texas between the dates of the meeting of the Consultation, November, 1835, and the convention at Old Washington, March 1, 1836, which declared Texas independent of Mexico, adopted a government *Ad Interim* by electing a President, Vice-President and other officers.

The preamble to the Declaration of Independence sets out in forceful language the causes which drove the Texans to revolt. It is a masterly presentation of their grievances and presents a vivid picture of the wrongs they had endured, with patience for many years.

The following is a fac-simile of the Declaration of Independence, that wonderful document, that epoch making instrument that changed the map of the North American continent and freed the Texas colonies from Mexican tyranny:

The Unanimous Declaration of Independence made by the Delegates of the People of Texas in General Convention at the Town of Washington on the 2nd day of March 1836

When a Government has ceased to protect the lives, liberty and property of the people from whom its legitimate powers are derived, and for the advancement of whose happiness it was instituted, and so far from being a guarantee for the enjoyment of those inestimable and inalienable rights, becomes an instrument in the hands of evil rulers for their oppression: When the Federal Republican Constitution of their Country, which they have sworn to support, no longer has a substantial existence, and the whole nature of their Government has been forcibly changed, without their consent, from a restricted federative republic, composed of Sovereign states, to a Consolidated

Central and Military despotism in which every interest is disregarded but that of the army and the priesthood — both the Eternal Enemies of Civil Liberty, the ever ready minions of power, and the usual instruments of tyranny. When, long after the Spirit of the Constitution has departed, Moderation is at length, so far lost by those in power, that even the Semblance of Freedom is removed, and the forms themselves of the Constitution discontinued; and so far from their petitions and Remonstrances being regarded the agents who bear them are thrown into dungeons, and Mercenary armies sent forth to force a new Government upon them at the point of the bayonet. When in consequence of such acts of Malfeasance and abdication, on the part of the Government, Anarchy prevails, and civil Society is dissolved into its original elements. In such a crisis, the first law of nature, the right of self-preservation — the inherent and unalienable rights of

the people to appeal to first princi-
ples and take their political affairs into
their own hands in extreme cases. It joins
us as a right towards themselves and a sa-
cred obligation to their posterity to abol-
ish such Government and create
another in its stead, calculated to secure
them from impending dangers, and to
secure their future welfare and happiness.

Nations, as well as individ-
uals, are amenable for their acts to the
public opinion of mankind. A
statement of a part of our grievances is,
therefore, submitted to an impartial world,
in justification of the hazardous but
unavoidable steps now taken of severing
our political connection with the Mexican
people, and assuming an independent
attitude among the nations of the earth.

The Mexican Government,
by its Colonization laws, invited and in-
duced the Anglo-American population
of Texas to colonize its wilderness under
the pledged faith of a written Constitu-

tion that they should continue to enjoy that Constitutional liberty and Republican Government to which they had been habituated in the land of their birth the United States of America. In this expectation they have been cruelly disappointed, inasmuch as the Mexican nation has acquiesced in the late changes made in the Government by General Antonio Lopez de Santa Anna, who having overturned the Constitution of his Country, now offers us the cruel alternative either to abandon our homes, acquired by so many privations, or submit to the most intolerable of all tyranny, the combined despotism of the Sword and the Priesthood

It has sacrificed our welfare to the state of Coahuila, by which our interests have been continually depressed through a jealous and partial Course of legislation carried on at a far distant Seat of Government by a hostile Majority, in an unknown tongue; and this too, notwithstanding we have petitioned in the humblest

terms, for the establishment of a separate State Government, and have, in accordance with the provisions of the National Constitution, presented to the General Congress a Republican Constitution which was without just cause contemptuously rejected

It incarcerated in a dungeon, for a long time, one of our citizens, for no other cause but a zealous endeavor to procure the acceptance of our Constitution and the establishment of a State Government

It has failed and refused to secure on a firm basis, the right of trial by jury, that palladium of civil liberty, and only safe guarantie for the life, liberty, and property of the citizen

It has failed to establish any public system of Education, although possessed of almost boundless resources (the public domain) and, although, it is an axiom, in political science, that unless a people are educated and en-

=lightened it is idle to expect the Con=
=tinuance of Civil Liberty, or the Capa=
=city for Self Government.

It has suffered the Military Commandants stationed among us to exercise arbitrary acts of oppression and tyranny; thus trampling upon the most Sacred rights of the Citizen and rendering the Military superior to the Civil Power.

It has dissolved by force of arms, the State Congress of Coahuila and Texas, and obliged our representatives to fly for their lives from the Seat of Government; thus depriving us of the fundamental political right of representation.

It has demanded the surrender of a number of our citizens, and ordered Military detachments to seize and carry them into the Interior for trial, in Contempt of the Civil authorities, and in defiance of the Laws and the Constitution

It has made piratical attacks upon our Commerce, by Com-
=missioning foreign desperadoes, and authorizing them to seize our vessels. And Convey the property of our Citi=
=zens to far distant ports for Con-
=fiscation.

It denies us the right of worshipping the Almighty accord-
=ing to the dictates of our own Consciences, by the support of a National Religion Calcula-
=ted to promote the temporal interest of its human functionaries rather than the Glory of the true and living God

It has demanded us to deliver up our arms, which are Essential to our defence, the rightful property of freemen, and formidable only to tyr-
=annical Government

It has invaded our Country both by Sea and by Land, with intent to lay waste our territory and drive us from our homes. And has now

a large mercenary army advancing to
Carry on against us a war of extermination.

It has brought in its employ, the merciless Savage, with the tomahawk and Scalping knife, to massacre the inhabitants of our defenceless frontiers

It hath been, during

the whole time of our connection with it, the contemptible Sport and victim of successive military revolutions, and hath continually exhibited every Characteristic of a weak, Corrupt, and tyrannical Government.

These, and other Grievances, were patiently borne by the people of Texas until they reached that point at which forbearance ceases to be a virtue We then took up arms in defence of the national Constitution. We appealed to our Mexican brethren for assistance. Our appeal has been made in vain

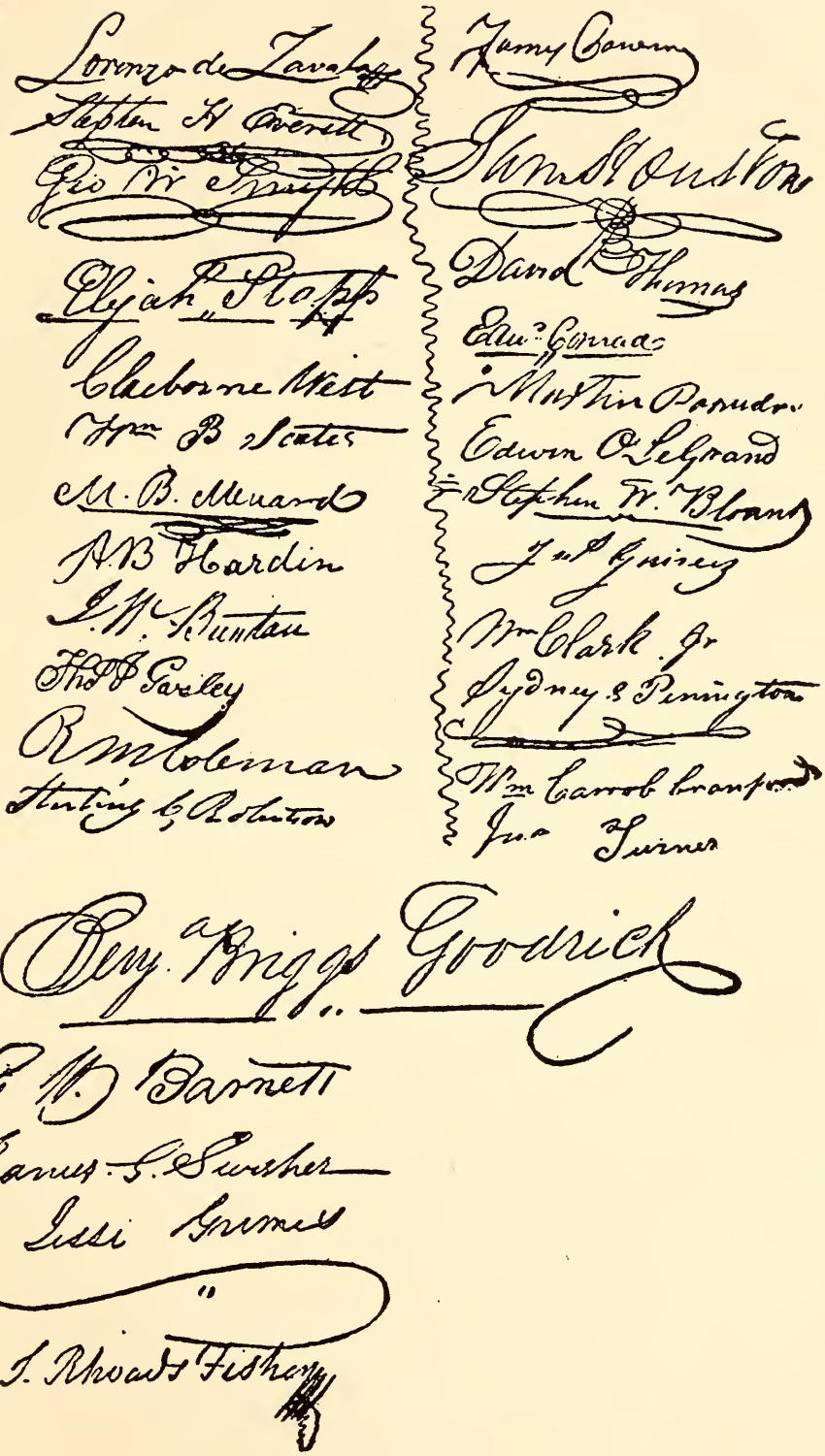
Though Months have Elapsed, no Sympathetic Response has yet been heard from the Interior. We are, therefore, forced to the Melancholy Conclusion that the Mexican peo=ple have acquiesced in the distruct=ion of their liberty, and the substitu=tion therfor of a Military Government=—that they are unfit to be free and incapable of Self Government.

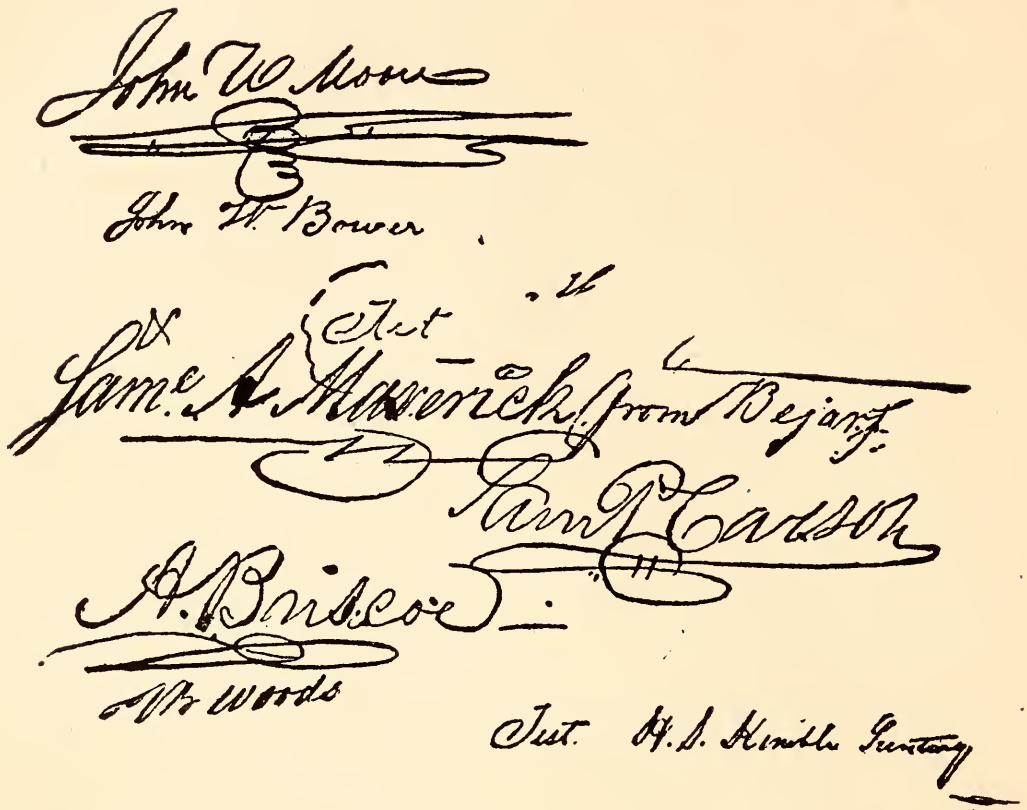
The necessity of self-preserva-tion, therefor, now decrees our eternal political separation.

We, therefore, the delegates, with plenary powers, of the people of Texas, in Solemn Convention Assembled, appealing to a Candid World for the rectitude of our Condiction, do here, by Resolve and declare that our poli-tical Connection with the Mexican nation has forever Ended; and that the people of Texas do Now Constitute a free Sovereign and Independent

Republic. And are fully invested with all the rights and attributes which properly belong to Independent Nations; and, conscious of the rectitude of our intentions, we fearlessly and confidently commit the issue to the decision of the Supreme Arbiter of the destinies of Nations.

Richard Ellis President
of the Convention & Delegate
from Red River
Charles B Stewart
Edwin Waller
Jno Wharton
Jno Turner
Geo C Childress
Bailey Hardeman
Rob Potter
Thos J Rusk
Jno S D Byrom
Francis Ruis
J Antonio Navarro
Jesse B Badgett
Wm D Lacey
William Menefee
Jno Fisher
Matthew Caldwell
William Motley
Chas B Taylor
John S Roberts
Robert Hamilton
Collin McKinney
Albert H Latimer


Lorenzo de Zavala
Stephen H Everett
Geo W Smyth
Elijah Roff
Claiborne West
Wm B Scates
M B Menard
A B Hardin
G W Buntain
Thos F Farley
R M Coleman
Sterling C Robertson
Jas Cowan
Samuel Houston
David G Burnet
Edwd Conrad
Martin Parmer
Edwin O Legrand
Stephen W Blount
Jas Gaines
Wm Clark Jr
Sydney S Penington
Wm Carroll Crawford
Jno Turner
Benj Briggs Goodrich
G W Barnett
James S Sweeber
Jesse Grimes
J Rhoads Fisher



RICHARD ELLIS

President of the Convention at Old Washington, March, 1, 1836, and Signer of the Declaration of Independence

Associate Judge Supreme Court of Alabama—Moved to Texas—Settled on Red River—A Friend of Milam—Elected Delegate to the Convention at Old Washington—Elected President of the Convention—Member of the Senate of the Republic—His Death in 1849.

Mr. Ellis was a man of towering intellect, scholarly attainments, splendid personal character and great courage. As a student he was renowned for his studious habits, uniform courtesy and moral deportment. He was quiet and reserved, full of intellectual energy, fond of innocent amusements and a leader in his school sports. One of his instructors, Mr. Wylie French, said of him, after he had won a high place in the judicial life of Alabama, that "he was a student of exemplary habits, studious and obedient to all the rules of discipline. He early developed a fondness for the study of the principles of law and was a constant patron of the university library. We was a young man full of ambition, but he never forgot how to be courteous and affable. He divided his time between hard study and recreation and never permitted one to interfere with the other. This system he rigidly adhered to, which enabled him to be proficient in the classroom and robust and vivacious in his outdoor sports. He was a young man of fine manners and noble principles, never haughty or arrogant, but modest and gentle. I predicted for him success in his chosen profession, and I have not been disappointed."

When Mr. Ellis entered upon the practice of his profession, he was fully equipped. His many years of assiduous labor and study had given him moral as well as intellectual strength. He was a moral and Christian youth and these traits did not desert him as he grew to manhood. He began his career in the legal profession instilled with the principles of equity and justice, and as advocate and judge, these lofty ideals became the settled rule of his life.

William R. King, one of the first senators to serve Alabama in the United States Congress, and who afterwards became Vice-President of the United States to succeed Millard Fillmore, when he became President on the death of Zachary Taylor, said of Judge Ellis when he retired from the Supreme Court of that state and was bidding farewell to his friends to come to Texas in 1825: "Judge Ellis is a man possessing great strength, physically, intellectually and morally. His decisions as a member of the First Supreme Court of Alabama distinguished him as a lawyer of profound learning. They marked him as endowed with keen practical sense. He possessed the faculty of clearness of expression in a remarkable degree. His decisions were always based on the clear meaning of the law and were just and equitable. In his going from us, Alabama loses a good citizen, a great lawyer and a Christian Judge."

Mr. Ellis was born in Virginia in 1782 and was educated in the schools and colleges of his native state, graduating in 1804. He studied law and was admitted to the bar in 1806. He at once entered upon the practice of his profession and was soon recognized as a lawyer of great power. In 1814, he was induced to change his residence from Virginia to Alabama, settling in Franklin County. Here he opened up a large plantation, but continued the practice of law. He very soon identified himself with public affairs and in 1819 he was elected a member of the Constitution Convention of that state which framed the first constitution of Alabama. Alabama was admitted into the Union December 14, 1819. It was formed from a portion of Mississippi Territory and from lands originally ceded to the United States by the states of Georgia and South Carolina, by act of Congress, March 3, 1817.

At the first election held under the Alabama constitution and after the state had been admitted to the Union, Mr. Ellis was elected Judge of the Fourth Circuit Court; the circuit judges under the constitution formed the Supreme Court. He served a full term of four years. Soon after his term of office expired he came to Texas, making the trip overland. He brought his family

and slaves with him and settled on Red River, in that portion later known as Bowie County. He purchased a large tract of land and opened up a cotton plantation, his desire then being to retire from publis life and to devote his energies to the development of his vast possessions. He remained quietly on his plantation until the exigencies of war with Mexico forced him from his retirement.

Mr. Ellis maintained a splendid estate. He had for that time, an elegant home where he entertained with lavishness. He was a friend and admirer of Robert Potter, a distinguished citizen and officer of the Republic. Mr. Potter was a frequent visitor at his palatial residence and they spent many pleasant hours together discussing the future of their adopted state.

He was also a friend of Ben R. Milam, the hero and martyr. Mr. Milam was a frequent visitor to his home and assisted him in securing his large tract of land. Milam was a genial companion and Mr. Ellis and his family never tired of hearing him relate his experiences in the many conflicts he had with the Mexicans and Indians, in which he was a conspicuous figure. Mr. Ellis was very much attached to Col. Milam and when he learned of his death at the battle of San Antonio, December 8, 1835, his heart was made sad and he said of him: "Milam was one of the noblest and bravest men I ever knew. He was ever sincere and honest in dealing with his fellow men. His death is a great shock to all who knew him and especially to my household."

When Hayden Edwards organized his revolt against the Mexican government in 1826, Mr. Austin sent a delegation to Nacogdoches to confer with Edwards and his followers in an effort to induce them to abandon their proposed revolution. Among those of the delegation were Richard Ellis, James Kerr and James Cummins. They held a conference with the two Edwards, Martin Parmer and others prominently identified with the revolt, but they were unable to induce them to abandon their purpose of organizing a revolt against the Mexican government. When Mr. Austin became convinced that Edwards and his fol-

lowers could not be induced to stack their arms and yield to reason, he called on the citizens of his colony to join the Mexican authorities to suppress them. This they did and Edward's revolt, known as the Fredonian Rebellion, soon terminated.

In 1836 Mr. Ellis was elected a delegate to the convention which met at Old Washington and declared Texas Independent of Mexico and framed a constitution for the Republic of Texas. His reputation had preceded him and when the delegates began to arrive at Old Washington, there was an almost unanimous demand for his election as president of the convention. When the convention assembled he was chosen its presiding officer. Those who served with him in this convention gave him the credit of having made a most excellent record as a presiding officer.

Throughout the revolution, which followed the Declaration of Independence, he aided the military in many ways. After independence was achieved at San Jacinto, he continued a potent factor in the affairs of the young and struggling republic, and his neighbors elected him a member of the Senate in the First, Second, Third and Fourth Congresses of the Republic.

Mr. Ellis was a commanding and wise counsellor in the congress of the republic. He was a staunch supporter of the policies of President Houston and gave him his support in the inauguration of the government of the Republic. He continued to take a prominent part in the affairs of the Republic until Texas was annexed to the Union, when he retired to private life on his plantation, where he died in 1849.

When Mr. Ellis affixed his name to the Texas Declaration of Independence, he signed as President of the Convention.

When a new county was formed from Navarro County in 1849 it was named for Richard Ellis, a wise statesman of the Republic of Texas and signer of the Declaration of Texas Independence.

The tribute paid to the memory of Richard Ellis by the Texas Legislature in naming one of the state's greatest and best counties in his honor was a splendid testimonial of appreciation. But

his deeds of sacrifice and patriotism deserve still greater reverence. The County of Ellis should establish an Ellis Park and erect in its center a monument commemorative of the patriotic services he rendered the struggling Republic when menaced by the ruthless hand of the Mexican despot.

Mr. Ellis was a noble and inspiring character and his pure life should be pointed to to impress the youth of the truth that "virtue has its own reward."

If the attention of the school children and public spirited citizens of Ellis County should be called to this matter, I feel sure that they would take proper steps to show their reverence for the memory of the noble Richard Ellis, for whom the county was named.

GEORGE CAMPBELL CHILDRESS

Author of the Texas Declaration of Independence.

Early Life in Tennessee—Came to Texas in 1832—Delegate to the Convention at Old Washington, March 1, 1836—Chairman of the Committee to prepare Declaration of Independence—Commissioner to President Jackson—Death in 1840.

Mr. Childress was a very learned lawyer, a brilliant orator and a finished diplomat. He was a man of polished manners and of great personal magnetism. Mr. Thrall tells us that he was a man of spotless integrity, of gentle character and gentlemanly deportment—a gentleman throughout.

No greater encomium could be paid a man than to say "he is a gentleman." There is no character so respected and honored as the gentleman. The word, gentleman, like the word electricity, cannot be easily described, for, as stated by another, it has no synonym and no correlative. It is more than loyalty and chivalry. It combines honor with humility, veracity with meekness and makes purity glow on the heart as a diamond flames on the breast. Their smile, like the look of a summer morning, reaches into the waiting valley of the heart.

Mr. Childress was profoundly versed in the science of government and a genius when dealing with its principles. When he wrote the Declaration of Independence of the Texas Republic he won imperishable fame. The powers of his intellect were known to but few, but that few recognized in him an intellectual wizard, and when the convention met at Old Washington, March 1, 1836, the task of writing the instrument declaring Texas independent from Mexico was assigned him with a unanimity that was inspiring.

It was phenomenal that a man of Childress' ability and judgment should have appeared on the scene just at the opportune time—a time when wisdom and leadership were traits essentially necessary to guide and direct amidst confusion and doubt.

Excepting the Declaration of American Independence, proclaimed by the American colonies at Philadelphia, July 4, 1776,

no instrument recorded in the annals of history has had a more potent influence over the destinies of the people of the United States.

Mr. Childress set out, in the preamble to the Declaration of Independence, in forceful language, the causes which drove the Texans to revolt. It is a masterly presentation of their grievances and presents a vivid picture of the wrongs they had endured, with patience, for many years. But, notwithstanding these wrongs, as late as November, 1835, the Texans declared in convention at San Felipe that "they will continue faithful to the Mexican government as long as that nation is governed by the constitution and laws that were formed by the government of the political associates." When Santa Anna and other military chieftains overthrew the federal government of Mexico and dissolved the compact which existed between Texas and other members of the Mexican Confederacy, the Texans declared that they were no longer morally or civilly bound by the compact of union.

When the actions of the Texas colonists became known in the United States, there was a group of fanatical men and women who condemned, in great severity, their actions. Then it was that Mr. Childress' trenchant pen defended the acts of his associates in declaring Texas independent of Mexico. His communications were addressed to prominent citizens in different parts of the country, but they found their way to the leading newspapers of the nation and did a great deal to arouse sentiments of sympathy for the struggling Texans. It was largely through his widely published letters, that the facts which brought about the Texas Revolution were made known to the world.

Mr. Childress was a forceful writer and he did not spare the authors of the false reports circulated regarding the Texans. He presented the grievances of the Texans in a masterly style that carried conviction to every nook and corner of the country. These communications were inspiring and like the caloric of the sunbeam melted the framework of selfishness and indifference and called forth the tendrils of justice and magnanimity. He

did not deal in sophistry, but was logical and convincing. He recognized, as he said "that artificial flowers are not attractive or desirable when springtime is shaking its floral beauties at every door."

Mr. Childress was born in Nashville, Tennessee, January 8, 1804. He was a son of James and Elizabeth (Roberston) Childress, being a nephew of Sterling C. Robertson. It was through the influence of Mr. Robertson that Mr. Childress was induced to come to Texas in 1832. He located at Nashville on the Brazos, the then capital of the Robertson Colony. Mr. Childress was a lawyer by profession, but as there were no clients in the then wilderness he devoted his time to the study of the Mexican land laws and to the assistance of the settlers, in his uncle's colony, in perfecting titles to their lands.

Mr. Childress was very popular throughout the country on the Brazos and when a convention was called to meet at Old Washington, March 1, 1836, he was prevailed upon to become a delegate. This he agreed to when he and his uncle, Sterling C. Robertson, were elected to represent the territory of Robertson Colony District. The convention met at 10 a. m., March 1st. It was organized by electing Richard Ellis, president. Among the first motions introduced after the convention was ready to transact business was one authorizing the president to appoint a committee of five to draft a Declaration of Independence. On the adoption of the resolution the president appointed on the committee Geo. C. Childress, chairman, James Gaines of Sabine, Edward Conrad of Refugio, Collin McKinney of Red River and Bailey Hardeman of Matagorda. Mr. Childress, the chairman, reported a draft of a Declaration of Independence on March 2nd, which on motion of Sam Houston was unanimously adopted, enrolled, and signed on the second day of March, 1836.

Immediately after the signing of the Declaration of Independence the convention adjourned for the day. "It was then," says Mr. Powell, "that the delegates gathered around Mr. Childress and expressed their hearty approval of his labors in preparing

such an able document setting forth the attitude of the colonists toward the Mexican government."

"Mr. Childress," said Mr. Power, "was a man of big brains and big ideas, thoroughly saturated with patriotism." These qualities fitted Mr. Childress for the task of heading the committee and writing the Declaration of Independence which he did with consummate skill.

Although Mr. Childress was not a man of robust health, he joined the army immediately after the adjourning of the convention. But before he had left Old Washington, President Burnet appointed him commissioner to go to Washington City to present the cause of Texas to President Jackson. The battle of San Jacinto was fought before Mr. Childress reached Washington. He remained in Washington until the adjournment of congress when he returned to his home at Nashville, where he resumed the practice of law. He took little interest in public affairs although he was urged to permit the use of his name as candidate for the senate and congress, but he declined, preferring to occupy a private station. In 1839 Mr. Childress' health failed, and in 1840 in a fit of melancholy he took his own life. Never having been married he left no family.

When several new counties were created from Young Land District in 1876, one of these counties was named in honor of George C. Childress, the author of the Declaration of Texas Independence.

GEORGE W. BARNETT

SIGNER OF THE TEXAS DECLARATION OF INDEPENDENCE

Birth and Education—Studied Medicine—Practiced Medicine in Mississippi—Came to Texas in 1830 and Settled in Austin's Colony—Elected Delegate to the Convention at Old Washington, March 1, 1836—Member Senate of the Second, Third, Fourth, Fifth, Sixth and Seventh Congresses of the Republic.

Like Burleson, Hays and Moore, George W. Barnett was a true type of the frontiersman, bold and fearless. He distinguished himself very soon after reaching Texas in 1830. He was a Captain in a volunteer Company of Rangers, prior to 1835, and in that year he was an officer in Major (afterwards Colonel) John H. Moore's campaign against the Indians on the upper Trinity river.

In July, 1835, Captain R. M. Coleman organized an expedition consisting of twenty-five men, to go to the Indian village at Tehuacana Springs, now in Limestone County, for the purpose of holding a council and forming a treaty with the Tehuacana tribe. But when Captain Coleman was discovered by the Indian spies, as he was approaching the Indian village, the spies reported that an armed band of whites was marching on the village. The Indians had not been advised of the object of his visit and they took a strong position in their rifle pits dug in the ground, and fired upon Captain Coleman as he approached. A fierce conflict between the Indians and the Texans followed. Captain Coleman killed several of the warriors, but he was unable to dislodge them. After having one of his men killed and several wounded, he withdrew and fell back to Parker's Fort. From here he sent messengers to the settlement, requesting reinforcements. He was soon joined by four companies of volunteers under the command of Captain Geo. W. Barnett, John H. Moore, R. M. Williamson and Phillip Coe, respectively. These troops, according to a pre-arranged plan, assembled at Tenoxtitlan on July 31, and marched in a body to join Captain Coleman at Parkers' Fort. Here they organized the whole under

one command and elected John H. Moore Major of the command. From this place, they marched against the Indian village at Tehuacana Springs. Captain Barnett's Company formed the advance guard. When Captain Barnett reached the site of the Indian village, he found it abandoned. When Major Moore arrived with the rear troops, a council of war was held to agree upon a programme. Captain Barnett favored a continuous march against the Indians. This plan was agreed upon and Major Moore led his troops in pursuit of the savages, as far as the forks of the Trinity river and passed over the Brazos and down that stream, Captain Barnett continuing with his company as the advance guard. This trip consumed several weeks of hard travel. They failed to locate the escaping Tehuacanas, but encountered several roving bands, whom they routed, killing several warriors and capturing several women and children. These were carried as prisoners to the settlements and sold as slaves. This is said to have been the only instance recorded in Texas history, where Indians were sold as slaves. The experiment proved a failure. Mr. Barnett was a leading spirit in this campaign and made an enviable record for daring and bravery.

Mr. Barnett was born in South Carolina, July 24, 1793. Here he was reared and given an academic education, and studied medicine. In 1818 he moved to the new state of Mississippi. This state was admitted into the Union, December 10th, prior to his settling there. He was related to the Barnetts of Virginia and Georgia, one of whom, William Barnett, was a distinguished member of the 12th and 13th United States Congresses, succeeding Howard Cobb in the 12th Congress, when he resigned in 1812 to accept a Captain's Commission in the United States Army. Doctor Barnett practiced his profession in Mississippi until 1830, when he came to Texas and settled in Austin's colony, in the District of Washington. He at once became recognized as a man of commanding intellect, and joined the colonists in their efforts to establish an orderly government. He never failed to answer the call of his countrymen in their efforts to protect the settlers against marauding bands of Indians, and led several commands against them.

Mr. Barnett took a general interest in all matters effecting the state. When the convention was called to meet at Old Washington, March 1, 1836, he was prevailed upon to become a candidate as a delegate to this convention. He was elected. He was an active participant in this convention and signed the Declaration of Independence adopted by that body. He was a strong supporter of the Texas Revolution and rendered great service in arousing the settlers to join the army, in defense of the country, personally equipping a number of men who joined General Houston's army and took part in the battle of San Jacinto.

Dr. Barnett was elected a member of the Second Senate of the Republic and was re-elected to the Third, Fourth, Fifth, Sixth and Seventh Senates. He was a member of that body when killed by the Indians on the Guadalupe River in 1844.

Mr. William Menefee left this record of Dr. Barnett. He said:

"Dr. Barnett's record for gallantry in defending the settlers against marauding bands of Indians was known and appreciated by the delegates to the convention at Washington. He was a man of few words and was a worker and listener, rather than a talker in the convention. In appearance, he reminded one of David Burnet, but he had a larger frame. He was thick across the shoulders and had a robust frame. He was a loyal defender of the country and her institutions and possessed many warmly attached friends, because of his spotless character. As a Senator, he was a conscientious worker and was an able law-maker. His death was deplored by those who knew of his value to the Republic. He was a constant attendant on the sessions of the convention and introduced a number of bills which became laws. He was an attached friend of General Edward Burleson and was a frequent visitor to him on his plantation on the Colorado, near Bastrop. General Burleson knew him better, perhaps, than any of our public men. He was greatly grieved when he heard of his massacre by the savages."

Charles B. Stewart said this of Dr. Barnett:

"He was a pure, good man. He had no personal ambition, except to render service to his friends and his country. And no one can say that he failed in this. He was a visitor to my home in Montgomery County in 1842, and I arranged a bear hunt for him. He enjoyed his experience following a large pack of trained dogs and succeeded in killing a large mother bear in the San Jacinto brakes. He had the hide tanned and had it manufactured into caps which he gave to his friends."

The records show that Dr. Barnett was a man of excellent character, and I am proud that I have been able to permanently record some of his deeds of valor and patriotism, which entitle him to our grateful remembrance.

THOMAS BARNETT

Signer of The Texas Declaration of Independence

Birth and Early Life—Came to Texas in 1822—Joined Military Organized Against the Indians—Elected Alcalde —President of Ayuntamiente—Member of the Consultation—Delegate to the Old Washington Convention—Chief Justice, Austin County—Member Third Congress of the Republic—Marries, Makes Permanent Location—Death.

Thomas Barnett came to the Mexican State of Texas, early in 1822 and settled in Austin's Colony. He very soon thereafter secured a league of land on the east side of the Brazos River, in the south-eastern part of the territory of Austin's Colony, now covered by Fort Bend County. This survey of land lay near a large body of fresh water, known as Clear Lake, about twenty miles southwest of the City of Houston. Mr. Sowell, in his history of Fort Bend County, tells us that this lake was one time the home of the Bedi tribe of Indians and that they had their villages there, and when the early American settlers came to that country signs of their habitation could be plainly seen.

When Mr. Barnett came to Austin's Colony, he found there every imaginable type of mankind, with their peculiarities and idiosyncrasies. They differed in talents and dispositions; in education and manners; in politics and religion, but they were brought into social relations without friction or explosion. This close intermingling opened the path to usefulness to the man of tact, intellect and good breeding, for in manners there is an attractive energy or a social cement which holds mankind together in social union, as brick in a wall or block of granite or marble in a temple. I have read somewhere that unless a man has manners in his vocation, he will have no manners in his parlor; that the tree which will not blossom in the forest, will not blossom in the dooryard, and the shell which has no beauty on the seashore, will have no beauty in the cabinet.

Mr. Barnett adapted himself to his new environments, as if he had been trained for the task and he soon became known as a young man of superior intelligence, lofty ideals and polished manners. His popularity grew as he mingled with the people and he was soon recognized as a leader of courage and good judgment. He took an active interest in all questions effecting

the colony and the state at large. When it became necessary to protect the settlements against the raids of roving bands of savages, he joined the volunteer companies to drive them back. He was with Austin when he marched toward Victoria to punish the Tonkawans, who had been committing crimes against the settlements in his colony. He supported Mr. Austin in all his policies, when dealing with the problems arising from disorders on the part of the American settlers and the Mexican authorities in the state.

In 1827 Austin and DeWitt's colonies were merged into one municipality of Austin, and Mr. Barnett was elected Alcalde. He was succeeded in December, 1827, by Thomas M. Duke. But Mr. Barnett was again elected Alcalde in December, 1829, and took his office in January, 1830. He was President of the Ayuntamiente at San Felipe de Austin in 1830. The other officers were Samuel M. Williams, Secretary; Jesse H. Cartwright, Walter C. White and Churchill Fulshear, Rigidors.

Mr. Barnett was a delegate to the Consultation, which met at San Felipe in 1835. Here he made a reputation as a man possessing the attributes of a statesman with a vision of the future. Asa Hoxey, who was a delegate to this convention from Washington district, said this of him:

"Thomas Barnett belonged to that group of conservative but firm advocates of independence, but when he saw that the majority of the delegates favored the establishment of a provisional State Government instead of a Republic, he yielded. He was a warm personal friend, both of Mr. Austin and William H. Wharton and was greatly affected by their estrangement. He took an active part in the proceedings of the convention and his wise, conservatism was an influence which tended to prevent the delegates from injecting personalties into their discussion of the questions before that body. His mannerism was that of a clean, loyal and patriotic statesman. He was personally popular with both factions in the convention."

Mr. Barnett's popularity was based on his noble traits of character; his high ideals of duty, and his devotion to the cause of the colonists. When the convention was called to meet at Old Washington, March 1, 1836, the people of his district (Austin) elected him a delegate in spite of the fact that he gave his support to another. He attended the convention and gave his support to the establishment of an independent Republic and was a signer of the Declaration of Independence.

Soon after Mr. Houston was inaugurated President of the Republic, he appointed Mr. Barnett Chief Justice of Austin County. His commission as Chief Justice, bearing date of December 20, 1836, is still preserved among his papers in the hands of his grand-daughter, Mrs. John M. Moore, of Richmond, Texas.

Mr. Barnett continued to take a deep interest in public affairs and was elected a member of the Third Congress of the Republic, from the newly formed district of Fort Bend. He was re-elected a member of the Fourth Congress. He carried with him into these bodies, the same charm of personality he had borne with much dignity on all previous occasions.

Regarding Mr. Barnett's service in Congress, Hon. George W. Hill, who served with him, said:

"I served with Mr. Barnett in the Congress of the Republic and I learned to know him well. He was far above the average member in intelligence. He was a most genial companion, a hard worker, a deep thinker and ever conscientious. He was a champion of those measures effecting education and the moral uplift of the people. He was neat in his personal appearance and extremely courteous and affable. We often spoke of him as the 'Chesterfield' of the House, although that title properly belonged to Representative Clem R. Johns of the Austin (Travis County) District."

Mr. Barnett was described by his daughter, Mrs. Sarah C. Dyer, as tall and rather slender, very straight, dark complexion, with black hair and eyes.

Thomas Barnett was born in Logan County, Kentucky, January 18, 1798. Here he was reared and given an academic education. He later moved to Livingston County, Kentucky, and was elected sheriff, serving in 1820-21. While holding this position, he became interested in the reports he had received regarding Texas and possessing a spirit of adventure, which most robust natures like his possess, he started to Texas, reaching here early in 1822. On reaching Texas, he settled temporarily at San Felipe. He began life in Texas as a surveyor and locator of lands for the colonists. There was great demand for this character of service and Mr. Barnett found it highly remunerative, in some cases getting as much as a third of the survey, for locating, surveying, platting the land and getting up title, etc. He soon selected a location on the east bank of the Brazos River in the southeastern part of the present Fort Bend County. He received title to this land July 10, 1824.

Mr. Barnett married Mrs. Nancy Spencer, whose husband was killed by the Carankawan Indians in 1824. After the death of her husband, Mrs. Spencer received a patent from the Mexican government for a league of land located on the Brazos River, eight miles above the present city of Richmond. After his marriage to Mrs. Spencer, Mr. Barnett settled and improved a home on her grant.

From Sowell's history of Fort Bend County and a letter from Hon. John M. Moore of Richmond, we glean the following interesting facts regarding Mr. Barnett and his family: Ten children were born to them, one of whom was Mrs. Sarah C. Dyer, wife of J. Foster Dyer, and mother of Lottie Dyer Moore, wife of John M. Moore of Richmond. Mr. Barnett's other children, who reached their majority were John Mary, who married William Jones; James Barnett and William Barnett. The old home of Mr. Barnett and family and the family cemetery, are located on the Nancy Spencer league. This league was granted to Mrs. Spencer by the Mexican government, July 24, 1824; and every vera of this league is owned by Mrs. Lottie Dyer Moore, Mr. Barnett's grand-daughter, except the lands deeded as right-of-way to railroads and public highways. It is doubtful if there is another instance of land ownership similar to this in the state—land granted to colonists by the Mexican government, remaining in the family for 100 years.

Mr. Barnett died in the midst of his usefulness, September 20, 1843. His remains were buried in the family burial ground, eight miles above Richmond in Fort Bend County. Kind and loving hands have marked with marble his last resting place. But the State of Texas, whom he so faithfully served, has failed to honor his deeds of sacrifice and valor, his valiant and patriotic defense of her liberties.

When it became known that Mr. Barnett had died, sorrow took possession of his friends. Captain Robert J. Calder of Richmond gave voice to grief in these simple words: "I am more than sad. Tom Barnett was a brave and good man and a most useful citizen. He rendered great service to the Republic and his name will be revered by those who appreciate the sacrifices he made and the hardships he endured for the cause of freedom."

ALBERT HAMILTON LATIMER

Signer of The Texas Declaration of Independence

His Birth—Sprung From a Distinguished Family—Came to Texas—Settled in Red River County—A Friend of Milam and Ellis—Makes Trip to Nacogdoches—Joined Military Company Against Indians—Elected Delegate to the Convention at Old Washington, March 1, 1836—Member of Fifth and Sixth Congresses of the Republic—Delegate to the Annexation Convention—Opposed Secession—Member Constitutional Convention, 1866—Appointed Associate Justice Supreme Court—Retires to His Farm—Death.

Albert Hamilton Latimer, a signer of the Texas Declaration of Independence, became a conspicuous figure in the affairs of the Republic and State. He possessed many admirable traits of character and gathered around him many strong personal friends, although during one period of his public career his course brought condemnation. His actions may be condemned or approved, according to the political conviction one entertains. Nothing, however, can be said adversely to his personal honor or integrity. The criticisms of him were because of his political affiliations during the reconstruction period following the close of the war between the States and before the red hot temper of the South had had time to cool.

Mr. Latimer was born in Huntington, Carroll County, Tennessee in 1808. He came of good stock and was a near relative of Hon. Henry Latimer, who was a distinguished member of the United States Senate from Delaware from 1795 to 1801.

Albert Hamilton Latimer was reared and educated in the common schools of his native state. He studied law and was admitted to the bar in 1831. In the late winter of 1832 he became interested in the accounts which reached him of Texas and at once began preparation to make Texas his permanent home. Early in 1833 he started out on his long and perilous journey to Texas, and crossing Red River he selected a location on the south bank of that stream and located in the territory now known as Red River County. Here he built a home and identi-

fied himself with the colonists likewise locating in that section of the then Mexican State of Texas. He was a frequent visitor to Richard Ellis at this home near the present city of Texarkana. While visiting Mr. Ellis, he became acquainted with Benjamin R. Milam, who also occupied a home south of Red River a short distance east of his location. These three men became attached friends and exchanged frequent visits. The first few years of Mr. Latimer's residence in Texas were spent in assisting new settlers in securing locations and perfecting their titles. In 1834 he made a trip to Nacogdoches and met many men who afterwards became famous in Texas history. While in Nacogdoches he was a guest of Colonel John S. Roberts, who later served with him in the Washington convention.

When the revolution between Texas and Mexico broke out, he hastened to join Captain Becknell's company of volunteers and rendered valuable military service in protecting the settlers from Indian raids.

When the General Council called a convention to meet at Old Washington, March 1, 1836, to organize a government separate from that of Mexico, Mr. Latimer's neighbors elected him a delegate. He drove overland to Old Washington, taking his camping equipment with him. Enroute he passed through Nashville, the capital of Robertson's colony. There he joined Sterling C. Robertson, George C. Childress and others who were delegates to the convention. The trip from the Red River to Old Washington occupied several days. In speaking of it in later years, Mr. Latimer said, "It was a pleasant trip, although we encountered difficulties in crossing the many streams between the Red and Brazos rivers. There were no well defined roads running from north to south and our course was not in a direct line. The country was filled with the choicest game and we had an abundant supply daily. We arrived at Old Washington on February 27th. We found but few delegates who had preceded us, but they continued to arrive and a quorum was on hand when the hour of calling the convention to order arrived."

Dr. Charles B. Stewart said that, "Mr. Latimer took great interest in the convention and favored an immediate breaking away from Mexico." He advocated the ratification of the Declaration of Independence submitted by the committee, and when it was adopted he accompanied his personal friend and neighbor, Collin McKinney, to the Secretary's desk and signed the instrument with one dipping of the pen into the ink. Of this Mr. McKinney said, "After I signed my name I handed the pen to Albert Latimer who at once signed following my name."

Mr. Latimer was a strong supporter of the government formed by the convention, as well as of the war which was waging.

After independence was confirmed at San Jacinto, Mr. Latimer continued to take an interest in public affairs effecting the Republic and was elected a member of the Fifth and Sixth Congresses. In speaking of Mr. Latimer's labors in the Congress of the Republic, Mr. William Menefee said, "I served on some important committees with Mr. Latimer during the Fifth Congress. He was always a diligent and conscientious worker and was a strong supporter of the government."

Mr. Latimer was a delegate to the Constitutional Convention of 1845 and exercised a potent influence in framing the Constitution under which the Republic was to enter the Union as a State. Having served with Thomas J. Rusk in the convention which proclaimed Texas independent of Mexico, he strongly supported Mr. Rusk as President of the convention. Mr. Rusk was elected, and appointed Mr. Latimer on several important committees.

When the question of secession was agitating the public mind in 1859-60 and 61 he was uncompromising in his opposition to the State's seceding. He predicted that war would follow the secession of the slave holding states. Mr. Latimer was a delegate to the Constitutional Convention of 1866 and was a prominent candidate for presiding officer. Four men were put in nomination for this office, as follows: J. W. Throckmorton, Hiram G. Runnels, Wm. H. Taylor and Albert H. Latimer. Messrs. Runnels and Taylor's names were withdrawn before voting began.

Mr. Throckmorton was supported by those who formerly favored secession and the moderate Union elements in the convention. Mr. Latimer was supported by the extreme Union element. Mr. Throckmorton was elected.

On August 8, 1866, Mr. Throckmorton was elected Governor of the State under the constitution of that year. But on August 9, 1867, he was removed as were all other state officers, by order of General Sheridan, the Military Commander of Texas, under the plea that "they were an impediment to reconstruction." General Sheridan also removed the members of the State Supreme Court and many of the District Judges, on the ground, as alleged in his order, "of their known hostility to the government of the United States." He appointed E. M. Pease to succeed Mr. Throckmorton; E. J. Davis to succeed Geo. F. Moore, Chief Justice of the Supreme Court; C. Caldwell to succeed Richard Coke, Associate Justice; Amos Morrill to succeed S. P. Donley; Albert H. Latimer to succeed A. H. Willie; Livingston Lindsey to succeed Geo. W. Smith.

Owing to bad health, Mr. Latimer resigned shortly after his appointment.

Mr. Davis declined the appointment as Chief Justice of the Supreme Court and Andrew J. Hamilton was appointed in his stead.

"This," said Davenport in his "Supreme Court of Texas," "was the culminating act of a despotic regime in the subversion of Constitutional Government and destruction of the liberties of a defenseless people by an ignoble conqueror; the crowning outrage of a series of like nature; tragic events in the darkest and most despairing days of reconstruction in Texas."

Regarding Mr. Latimer's attitude on the question of secession, Charles DeMorse said:

"Mr. Latimer stood just where Houston, Throckmorton and many others of our ablest statesmen of the south stood. He never doubted that the Southern States had a right to withdraw from the Union, but it was the consequences to follow, which he foresaw, that actuated him. Mr. Latimer was a patriot without blemish; and in private life, as in public life, he was

bold and fearless in advocacy of those principles he thought just and right. No act of his ever warranted reproach upon his fair name.''

When the Texas Veterans' Association was organized in 1873, Mr. Latimer became a member and attended its annual meetings up to his death at Clarksville in 1877.

Mrs. Ella Latimer Parks, of Clarksville, Texas, to whom I am under obligations for most valuable data regarding her father, has furnished me this splendid tribute to his memory:

''My father, Albert Hamilton Latimer, came to Texas in 1833. At that time there were six sisters and two brothers, one brother having died in Tennessee.

''When my father was nineteen years of age he married Miss Elritta Smith and to them were born four children, all of whom are dead.

''His second wife was Elizabeth Richey. Eight children were born of this marriage.

''His third wife, my mother, was Mary Gattis, of Mississippi, and of this union seven children were born, five of whom are living. Four children of the second marriage are living also. The first two marriages were in Tennessee and the third in Texas.

''My father was tall, slender, with dark hair and eyes. He had the carriage of an Indian and was the most dignified man I ever knew. He was of a pleasing personality, full of humor, of brilliant wit and quick at repartee. He was of gentle mien and a man of peace. He was a true southern gentleman with true southern hospitality; a man of unquestionable honor, a loyal friend, especially to the poor and unfortunate. He had only a common school education. We might say that he was a self educated man. He was well read and took an interest in science, art, music and literature.

''He was an Elder in the Cumberland Presbyterian Church from early membership to his death.

''After the close of the war in 1865, broken in health and fortune, he returned to his farm leading a peaceful, quiet life, surrounded by his family and a host of friends, until he succumbed to an incurable malady—cancer. Dying at the age of sixty-five.

''Soon after coming to Texas, my father held the office of Deputy District Surveyor.''

JOHN WHITE BOWER

Signer of The Texas Declaration of Independence and Member of The Congress of The Republic

Early Life—Visits Texas in 1826—Makes it His Permanent Home in 1828—Became Interested in Old Missions —Delegate to the Convention at Old Washington, March 1, 1836—Member Sixth Congress of the Republic.

John White Bower was a man of tact and ability. He came of a family that had produced many men who had won fame in the early history of the American Republic. In coming to America, his forebears settled in Virginia, the Carolinas and Georgia. John White Bower sprung from the family that settled in Georgia early in 1700. He was born in Georgia in 1809. Soon after a portion of the Territory of Missouri was cut off to form a new territory to be called Arkansas, by act of Congress, March 2, 1819, his parents moved to this new territory. Here Mr. Bower was reared. When he reached the age of sixteen he was sent back to the state of his nativity and placed in school and thus secured an academic education. On returning home he joined his father in a business enterprise that brought him in contact with Indian tribes who occupied a large portion of that territory. He continued in this business but a short time. On learning that a new territory south of Red River was offering inducements to settlers from the United States, he closed out his business and came to Texas. He first visited the state in the summer of 1826, but did not make the state his permanent home until later. On coming to Texas he located near the old mission town of Refugio, but later settled in the municipality of Goliad. Here he engaged in trading and stock raising. He was a man of fine executive ability, a keen trader and soon accumulated large possessions. When he settled in the Goliad territory the old Indian missions on the San Antonio River and in the valley of the Guadalupe were visible. He became interested in their history and secured from their ruins a number of

valuable Indian relics, some of which he sent to his relatives in Georgia and some of them he stored and others he gave out to his friends who visited him. He took with him to Old Washington, in 1836, several rare specimens of pottery which he presented to Mr. Robert Potter and Sydney O. Pennington, two men of that group who gathered at Old Washington, who were collectors of relics of this character. "As strange as it may appear," said Charles B. Stewart, "the few old Indian relics exhibited by Mr. Bower attracted more interest than any one thing shown at Old Washington. Among them was a small piece of pottery presented to Mr. Potter which he used as a shaving mug during the balance of his life."

Mr. Bower was a prominent figure in Southwest Texas and when the convention was called to meet at Old Washington, March 1, 1836, he and David Thomas were elected delegates. Mr. Bower was not present when the Declaration of Independence was adopted, but he arrived in time to attach his name to it, along with S. Rhodes Fischer, John W. Moore, Samuel Maverick, Andrew Briscoe, Samuel P. Carson and James B. Woods.

Mr. Bower sat in the convention during the balance of its sessions and took a deep interest in its proceedings.

On the adjournment of the convention he cautiously made his way westward, as he knew that that portion of the state was overrun with Mexican soldiers. He worked his way behind Santa Anna's army and after ten days travel reached Goliad. One of our writers of that period says that Mr. Bower joined General Rusk when he reached Goliad and took part in burying the bones of Fannin's men, but Mr. Bower never left us any record to confirm this statement, although he continued a central figure in that section of the state.

Mr. Bower quietly pursued the tenure of his way in spite of the fact that his neighbors continued to urge him to enter public life. Finally they succeeded in their persistency and he permitted them to elect him a member of the Sixth Congress. This was in 1841. He was re-elected a member of the Seventh Congress. Here he met and associated with many of the leading men

of the Republic, such as Kenneth L. Anderson, R. M. Williamson, Isaac Van Zandt, Geo. T. Wood, Jesse Grimes, A. H. Latimer, John S. Mayfield, George W. Barnett, James Shaw, Samuel A. Maverick, Robert Potter, Geo. W. Hill, Hugh McLeod, Sidney Sherman and Mathias Ward. He formed attachments for some of these men that lasted throughout his life.

Available records are silent regarding Mr. Bower's later activities. Data is needed to complete the story of his life history.

ANDREW BRISCOE

Signer of the Declaration of Independence and Officer in the Army of the Republic

Came to Texas in 1833—Arrested by Mexican Command at Anahuac—Released by W. B. Travis—Joined Milam in his Assault on San Antonio—Elected Delegate to the Convention at Old Washington March 1, 1836—Commanded a Company in Battle of San Jacinto—Appointed Chief Justice Harrisburg County—Moved to New Orleans—Death in 1849.

By reason of the prominent part Andrew Briscoe took in the affairs of the Texas colonies prior to and during the Texas revolution against Mexico, his name is indelibly stamped on the pages of Texas history. He was one of the makers of Texas. The services he rendered during its evolution from a weak dependency of Mexico to a giant state in the American Union were of that character that brought him honor and fame. Not only was he a wise counsellor in the councils of his country, but he was a brave defender of its principles. He did not throw himself in the vortex of the impending strife in an adventurous spirit but as a champion and defender of liberty and justice. There were others upon whom he could have relied to bear the burdens and privations incident to a military compaign, but he preferred to do his part regardless of the menace to health and comfort; regardless of the risk of life and limb. And when the tocsin of war was sounded he responded with alacrity and gave his services to the cause for which the brave Texans battled and stood foremost in the firing line until the invading Mexican hordes had been driven from the state. His conduct at Concepcion, San Antonio and San Jacinto, won the approval and admiration of the bravest and strongest in those conflicts; and, as was said by one who shared these victories with him, "He never quailed in the face of the galling fire of the enemy, but with a steady gaze and hurried steps he led his men to victory."

Mr. Briscoe has been described by those who knew him, as a man of pleasing personality, of great intellectual attainments

and strict integrity. Governor Frank R. Lubbock said of him, "he was a man to be admired—firm, brave and just."

Andrew Briscoe was born in Adams County, Mississippi, November 25, 1810. He was reared on a plantation in Claiborne County, Mississippi. He received his academic education in Clinton Academy, Hinds County, Mississippi, when he entered Franklin University, Kentucky. After completing his studies at the latter university, he returned home and entered the law office of General John A. Quitman at Jackson, Mississippi, and applied himself assiduously to the study of law and was soon admitted to the bar.

The first record we have been able to find of Mr. Briscoe in Texas was his registration as a citizen of the State of Coahuila and Texas, District of Ayish in 1833, although it is known that he made several trips to Texas from Mississippi on horseback before he located permanently in the state. He made Texas his permanent residence in 1834.

The first we hear of Mr. Briscoe's martial spirit was in June, 1835, when he resisted the payment of customs duties on a stock of goods he had landed at Anahuac. This effort to collect custom dues from Mr. Briscoe was the first attempt made by the Mexicans since 1832. For refusing to pay these duties he was thrown into prison by Tenorio, the commander at the garrison at Anahuac. The authorities at San Felipe were immediately notified of this act of the Mexican commander and a public meeting was called to determine what course to pursue. The meeting passed a resolution authorizing William B. Travis to form a company of volunteers and proceed to Anahuac and eject Tenorio, the commander at that place, from the garrison. Travis organized his company, marched to Harrisburg and took a sloop for Anahuac. The sloop was mounted with a ten pound cannon. On arriving within about a half mile of Anahuac, the boat grounded. A shot was fired as a warning to the garrison. The cannon was then placed on a small boat and carried ashore. The Mexicans fled in disorder, and when the Texans approached the fort they found it abandoned. Travis had an interview with

Tenorio and he agreed to capitulate. So on the following morning, June 30th, terms of capitulation were signed. The Mexicans pledged themselves not to take up arms against Texas and were allowed to proceed to San Antonio. Twelve of the soldiers were permitted to retain their arms as a safeguard against Indians. All the arms, ammunition and supplies were turned over to the Texans, and Mr. Briscoe was released and the Mexican custom house forever abolished.

This act on the part of Travis and Briscoe was severely condemned by those who were opposed to creating friction between Texas and Mexico and some of the citizens went so far as to urge their arrest. But these men had started a blaze which soon grew into a general conflagration.

In the following October, 1835, Mr. Briscoe was elected Captain of a company known as the Liberty Volunteers, and with this company he marched to San Antonio to join the forces assembled there for the purpose of rescuing that place from the Mexicans under the command of General Cos. He took part in the battle of Concepcion October 28th. When Benjamin R. Milam proposed to lead a force against Cos in San Antonio, Mr. Briscoe joined him in his charge and took part in all the engagements of the Texans during the several days' fighting. After the capitulation of General Cos, he remained with the army at San Antonio until word reached him of his election as a delegate to the convention which was to meet at Old Washington March 1, 1836. He left San Antonio for Old Washington to attend this convention a few days before Santa Anna's army reached that place, February, 23. He reached Old Washington March 10th. The Declaration of Independence had been adopted, but he affixed his signature to that instrument and took his seat as a credited delegate, representing the District of Harrisburg. He took an active part in the proceedings of the convention. When the news of the fall of the Alamo was received he moved that an express be sent to give this news to the states. He wrote perhaps the first account of the fall of the Alamo, published in the United States. It was addressed to the editor of the Red

River Herald, B. P. Despoiler, at Natchitoches, Louisiana. From Natchitoches a copy of this letter was carried to New Orleans and thence to New York, where on April 16, 1836, it appeared in *The New Yorker.*

A copy of this letter appeared in the Louisiana Historical Quarterly, February, 1920. Mrs. A. B. Looscan of Houston, a daughter of Andrew Briscoe, has kindly furnished me a copy of this letter. The statement made in the letter was based on the meager information furnished the convention, and while it contains some errors, they are of minor importance. Here is a copy of the letter:

To the Editor Red River Herald:
Sir:

Bexar has fallen! Its garrison, only 187 strong, commanded by Lieutenant-Colonel Wm. B. Travis, after withstanding repeated attacks for two weeks, and an almost constant cannonade and bombarding during that time. The last attack was made the morning of the 6th inst., by upwards of two thousand men under the command of Santa Anna in person. They carried the place about sunrise with the loss of 520 killed and about as many wounded. After about an hour's fighting the whole garrison was put to death save the sick and wounded and seven who asked for quarter. All fought desperately until entirely cut down. The rest were coolly murdered. The brave and gallant Travis, in order to save himself from falling into the hands of the enemy shot himself. Not an individual escaped, and the news is only known to us by a citizen of Bexar, who came to our army at Gonzales, but from the cessation of Travis' signal guns, there is no doubt of the truth.

Colonels James Bowie and Crockett were among the slain: the first was murdered in his bed in which he had been confined by sickness. The latter fell fighting like a tiger.

The Mexican army is estimated at 8,000 men. It may be more or less.

A. BRISCOE.

Mr. Briscoe was held in high esteem by President Burnet, and Secretary of State, Thos. J. Rusk, and they looked to him to maintain order at the Capital as the news of the fall of the Alamo had created a condition of unrest and uncertainty. On March 17th, two military orders were issued to him—Order No. 1, instructed him to press into service able-bodied men for the

preservation of order, etc.; Order No. 2, referred to the organization of a company for military service.

Order No. 1 read as follows:

WAR DEPARTMENT

Washington, March 17, 1836.

Captain A. Briscoe:

Sir: You will proceed to order into service for this night the able-bodied men of this town in order to keep up sentinels and a strict patrol as well as for the preservation of good order and keeping a look-out for the approach of an enemy, governing yourself in this matter by your best judgment.

By order of the President,
THOMAS J. RUSK,
Secretary of War.

Order No. 2 read as follows:

WAR DEPARTMENT

Washington, March 17, 1836.

Captain A. Briscoe:

You are hereby authorized and commanded to proceed forthwith to organize a company of Rangers and Spies, and observe the approach of the enemy and to communicate every day with this department if necessary, directing your communications to Harrisburg.

By order of the President of the Republic,
THOMAS J. RUSK,
Secretary of War.

Mr. Briscoe promptly obeyed these orders. The company he organized became known as Company A and was attached to the command of Lieutenant-Colonel Henry Millard. It took part in the battle of San Jacinto and won distinction for gallantry displayed in their precipitous charge of the enemy, and their actions throughout the battle.

Mr. Briscoe remained with the army as long as his services were needed. He was later appointed Chief Justice of Harrisburg (Harris) County. This appointment was made December 20, 1836, but he did not take the oath of office until some time in January, 1837. In the organization of his court Mr. Briscoe showed tact and ability.

In 1839 Mr. Briscoe secured a charter for the Harrisburg and Brazos Railroad, the first issued in the state. After a few miles of this road was graded, the enterprise was abandoned. It now forms part of the Southern Pacific System.

Mr. Briscoe moved from Houston to Harrisburg in 1840 where he engaged in the stock business. He continued to reside in Harrisburg until 1849 when he moved to New Orleans. Here he engaged in the banking business. He had built up a prosperous business, when death overtook him October 4, 1849. His remains were interred in the family burial grounds in Claiborne County, Mississippi.

In 1837 Mr. Briscoe married Miss Mary Jane Harris, a daughter of John R. and Jane (Birdsall) Harris. Mr. Harris was one of the earliest settlers of Texas. The County of Harris was named in his honor. He was the founder of the town of Harrisburg, for whom it was named.

On his death, Mr. Briscoe left a widow and two sons and two daughters, Parmenas Briscoe, Andrew Birdsall Briscoe, Jessie Wade Briscoe and Adele Briscoe. Miss Jessie married Milton G. Howe, who became a prominent railroad official, who died in Houston, June 19, 1902. Miss Adele married Major Michael Looscan who became a successful and prominent lawyer of the Houston bar and who died in Houston, September 7, 1897. His widow still resides in Houston. She is a women of pleasing personality, of culture and refinement. She has contributed some very interesting and valuable historic literature to the press of the state. She is a close student of Texas history and is President of the Texas State Historical Association.

When a number of counties were created from Bexar County in 1876, one of them was named for Andrew Briscoe, a signer of the Texas Declaration of Independence and officer in the Battle of San Jacinto.

SAMUEL P. CARSON

Signer of The Texas Declaration of Independence

Early Life in North Carolina—Member State Senate—Member of Congress—Fights a Duel—Came to Texas in 1834—Member of the Consultation, 1835—Delegate to the Convention at Old Washington, March 1, 1836—Secretary of State in Burnet's Cabinet—Death in 1840.

Mr. Carson was among that large group of pioneers who came to Texas after having served their country in positions of honor and responsibility. After serving eight years as a member of the United States Congress in his native state, North Carolina, Mr. Carson cast his fortunes with the Texas colonists. He reached Texas before the breaking out of the Texas Revolution, but at the time of his arrival, early in 1834, a rumbling noise could be heard beyond the Rio Grande indicating an approaching storm. The colonists had held two conventions and voiced their protest against oppressive laws and decrees passed by the Mexican congress. Austin was a prisoner in Mexico and confusion was ripe. Mr. Carson found two opposing factions in the state, each led by brave and patriotic men. One faction was opposed to any programme calculated to widen the breach existing between the colonists and the government of Mexico. The other faction was outspoken in opposition to further temporizing with Mexico and stood ready at an opportune time to renounce their relations with the Mexican government. As time drew its momentous length along these factions were designated respectively, the Peace Party and the War Party. Austin, Wiley Martin, S. M. Williams, et al., were the leading spirits of the Peace Party, while the Whartons, Jacks, Williamson, Smith, Burnet, Travis and Briscoe were the progressives of the War Party. The lines were well defined when Mr. Carson arrived. He was not here long before he gave his sympathies to the war party and counselled resistance against further encroachments of the Mexican government. And when Travis organized a company of volunteers to rescue Andrew

Briscoe from a Mexican prison at Anahuac, Mr. Carson severely condemned those who found so much fault with Travis and Briscoe's actions and sought their arrest and imprisonment.

Mr Carson's less than six years in Texas were crowded with patriotic service. His long training in public life before coming to Texas prepared him for the exacting duties to which he was assigned. As Secretary of State of the Republic and Diplomatic Representative, he won the esteem and confidence of all those associated with him.

Mr. Carson was a man of pleasing personality, with polished manners. He was a brilliant and pursuasive orator and he had a large personal following who were ever ready to advance his ambitions.

When he came to Texas his health had begun to decline. This largely determined his course after retiring from the United States' Congress, March 3, 1833. Soon after reaching Texas he wrote a letter to his colleague in congress, Hon. Thos. H. Hall of Tarboro, North Carolina, in which he said: "My objects for coming to this country were: (1) To seek restoration of health, and (2) to render assistance to a brave people just verging on armed strife. If I can regain my health and be of service to my countrymen, I shall have done well."

Samuel P. Carson was born in Burke County, North Carolina, January 22, 1798. He was given a good education. He studied law and was admitted to the bar. In 1821 he was elected a member of the State Senate and served 1822-24. In 1824 he was elected a member of the 19th United States Congress. In 1826 he became a candidate for re-election to the 20th Congress. In this role he was opposed by three very prominent men, Hons. James Graham, Felix Walker and B. B. Vance. During the campaign, Mr. Vance charged Mr. Carson's father, Colonel John Carson, of not being true to the colonists during the Revolutionary war. Mr. Carson demanded of Mr. Vance a public retraction of the charge and upon his refusal to do so, Mr. Carson challenged him to fight a duel. The challenge was accepted. The duel was fought at Saluda Gap, South Carolina. Vance was

fatally wounded and died at midnight. Public opinion sustained Mr. Carson and he was re-elected a member of the 21st Congress. Mr. Carson was also re-elected a member of the 22nd Congress, but was defeated for the 23rd Congress by Hon. James Graham whom he defeated in 1826 for a seat in the 20th Congress. Mr. Carson thus served in the United States Congress from March 4, 1825, to March 3, 1833.

Mr. Carson came to Texas early in 1834 and settled temporarily on Red River. In 1835 his friends, feeling that his stay in Texas was only temporary, elected him a member of the Constitutional Convention of North Carolina, which met in January, 1836. He attended this convention, but returned to Texas as soon as it completed its labors, and made Texas his permanent residence.

When the *Ad Interim* government of the Republic of Texas was established, Mr. Carson was appointed Secretary of State by President Burnet and was at once sent to the United States on a diplomatic mission. During this brief mission he secured protection for the settlers in eastern Texas against the Cherokee Indians.

When the news of Santa Anna's defeat at the battle of San Jacinto reached him, he resigned as Secretary of State and proceeded to the mountains of North Carolina and Tennessee in quest of health. He returned to Texas in the fall of 1836, but owing to his continued bad health, he took no part in public affairs. He spent the years 1837, 1838 and 1839 in retirement. In the early summer of 1840, he went to Hot Springs, Arkansas, hoping to have his health restored. But in this he was disappointed and died there in November, 1840.

When a number of counties were created from Bexar County in 1876, one of them was named Carson, in honor of Samuel P. Carson, an officer in the Republic of Texas.

MATHEW CALDWELL

Signer of The Texas Declaration of Independence

Early Life in Kentucky and Missouri—Among the Indians—Came to Texas in 1833—Settled in Sabine District —Delegate to the Convention at Old Washington, March 1, 1836—Moved to Gonzales—Commanded a Company of Rangers—Took Part in the Battle of Plum Creek—Member Santa Fe Expedition—Defeated General Woll—Death.

This intrepid and valiant soldier of the Republic was a representative of the best and bravest of the early pioneer military leaders. Like Burleson and Rusk, he was endowed with a genius for military leadership. This was demonstrated in many sanguinary conflicts with the Indians and Mexicans during his eventful career. This love for the excitement of the field of conquest was kindled in his bosom in the territory of Missouri where his parents took him when he was just budding into manhood. The backwoods of Missouri afforded him experience of the most exciting nature. It gave him a taste for Indian warfare and whetted his desire for a broader field of activities. When he learned of the rich and productive fields of Texas with her primeval forests, fertile valleys and plains, broad prairies and incomparable seacoast, teeming with game, and dotted with Indian wigwams, he turned toward Texas, the land of promise and opportunity. When he reached the red hills of Sabine he saw opportunity pictured on every blade and blossom and he at once identified his energies with every movement of the colonists calculated to advance their interest. He brought with him a familiarity with the privations and discomforts of pioneer life. He was not a tenderfoot in any sense of the word, nor was he unused to the hardships of the frontier.

Mr. Caldwell was born in Kentucky, March 8, 1798. He was given such educational advantages as was afforded by the schools of that section. His parents moved from Kentucky to the territory of Missouri in 1818 and he went with them. He was then twenty years of age. There were several tribes of unfriendly

Indians who made frequent raids on the settlements, and depredated on the property of the settlers and friendly Indians dwelling in the neighborhood. Mr. Caldwell took part in several campaigns against these marauding bands and he distinguished himself for his coolness and bravery. He later conducted a trading business with the Indians, and was quite successful in this venture.

When Mr. Caldwell learned of the opportunities offered settlers in Texas, 1833, he closed out his business and made his way to Texas on horseback. He crossed Red River at Natchitoches and following the old Natchitoches-San Antonio road, crossed the Sabine and located in the territory known as Sabine County. Here he very soon became one of the leading figures in the affairs effecting the settlers of that section, and when a convention was called to meet at Old Washington, March 1, 1836, the citizens prevailed upon him to represent them in that convention. He joined Mr. Blount and Mr. Parmer, who were also delegates, and made the trip overland to Old Washington, reaching there a day or two previous to the assembling of the convention. He took part in all its deliberations and when the committee presented a resolution declaring Texas independent of Mexico, he voted for its ratification and when the Declaration of Independence was adopted he became one of the signers.

Soon after the adjournment of the Old Washington convention, he moved his residence to Gonzales where he remained until his death.

During 1838 and 1839, Mr. Caldwell commanded a company of Rangers. During these two years he led his men in many bloody encounters with the Indians. He was not only a daring officer but he won renown as a strategist in Indian warfare. His company was composed of some of the bravest and best men of the country who held him in high esteem and followed his leadership with daring impetuosity.

In 1840 he was one of the commanders in the battle of Plum Creek with a large band of Comanche Indians who had sacked Victoria and Linnville and killed and made prisoners many of

their citizens. These Indians were on their return to their mountain homes. The battle began near the location of the present town of Lockhart, and ended near the location of the present town of Kyle. The rout of the Indians was complete and many were killed in their precipitous flight.

In 1841, Mr. Caldwell commended a company in the Santa Fe Expedition. He was captured with the others of the expedition and carried a prisoner to Mexico. He was released in 1842 and returned at once to his home in Gonzales.

In September, 1842, he was chosen commander of a force of two hundred men sent against the force of Mexicans under the command of General Adrian Woll, who had captured the city of San Antonio. Woll's force consisted of four hundred cavalry, 105 infantry, and two field pieces. Captain Jack Hays, whose headquarters, with a Ranger force, was at San Antonio, was absent from San Antonio when Woll swooped down on that place. As soon as Hays learned that Woll had captured San Antonio, he dispatched runners to the different sections of the country to advise the settlers of what had occurred. In the meantime, he struck camp on Salado Creek, seven miles northeast of San Antonio. When Colonel Caldwell's force reached the Salado, Captain Hays placed himself and his Ranger force under his command. Captain Hays, with a part of his force, was sent to draw the Mexicans out to Caldwell's position. Captain Hays advanced to within a few blocks of Woll's headquarters, in a bantering way using every device to get the cavalry to follow him. In this plan of tactics, Captain Hays was successful, for soon about four hundred of Woll's cavalry came out and charged Hays, who retreated to Caldwell's position in haste. The cavalry was soon followed by Woll's army. Caldwell met them and a fierce and bloody battle at once followed. Woll was defeated with heavy loss. Sixty of his men lay dead on the battlefield and a large number of wounded were carried from the field by the retreating and defeated Mexicans. The Texans lost one man and had nine wounded. Woll hastened back to his headquarters in San Antonio and the next day evacuated the

place, carrying with him a number of prisoners taken when he captured San Antonio.

Colonel Caldwell soon returned to his home at Gonzales where he died, December 28, 1842.

Colonel Caldwell was described by those who knew him as being a brave and fearless officer and a man of spotless integrity.

When a new county was created from Gonzales county in 1848, it was named Caldwell, in honor of Mathew Caldwell, a brave officer of the Republic and a signer of the Declaration of Texas Independence.

WILLIAM CARROLL CRAWFORD

Signer of The Texas Declaration of Independence

His Early Life—A Licensed Minister—Marries into a Prominent Family—Came to Texas in 1835—Delegate to the Convention Declaring Separation from Mexico—Took Prominent Part in Bringing Peace to the Regulators and Miderators — Postmaster During the Republic — Postmaster at Pittsburg after Annexation—His Long Life and Death.

This Christian hero and statesman was the last of the signers of the Texas Declaration of Independence to "pass over the river to rest under the shades." In many respects Mr. Crawford was a remarkable man. With all his experience in the wilds of Texas he never departed from the paths of Christian fellowship. "To serve the Master" he said at Old Washington, "is man's first obligation." He believed in serving Him everywhere and at all times. In the deep tangled woods of Shelby County, where he settled on coming to Texas in 1835, he gathered his neighbors together and exhorted them to live Christian lives. After his long residence at old Shelbyville he left the impress of religious fervor which dominated his life.

William Carroll Crawford was born at Fayetteville, North Carolina, September 13, 1804. When an infant his parents moved to Georgia where they both died shortly afterwards, leaving him an orphan. He found a home with a christian family who gave him such educational advantages as were available at that time. When eighteen years of age he was placed as an apprentice in a tailoring establishment. He followed this business for seven years. Six years later he professed religion and joined the Methodist Church. In 1830 he was licensed to preach. He joined the Alabama Methodist Conference and for four years he was a circuit rider. In 1834 he married Miss Rhoda J. Watkins. His wife was of a family prominent in the early settlement of Tennessee. Hon. Albert Gallitan Watkins was a member of the State Senate of Tennessee in 1845; was a presidential elector in 1848 and a member of the 31st and 32nd United States

Congresses, serving from March 4, 1849 to March 3, 1853. He was also a member of the 34th and 35th Congresses. Another of Mrs. Crawford's relatives, Hon. James P. Watkins, was a member of the 59th, 60th, 61st and 62nd Congresses from the State of Louisiana.

Mr. Crawford brought his young family to Texas early in 1835, and settled in the municipality of Shelbyville, reaching there on January 5, 1835. Here he settled and improved a farm and resided for about twenty years. When Shelby County was organized he served several terms as County and District Clerk and later as Postmaster for a brief period.

Mr. Crawford was living at old Shelbyville during the perilous period of the war between the Regulators and Moderators and did as much, if not more, than any one else to bring about a cessation of hostilities between the leaders of the two factions.

The story of the war between the Regulators and Moderators of east Texas presents a tragic page in Texas history. The crimes committed by these two rival factions were most horrible and revolting in their nature and threatened for a period the safety of life in that large territory. The whole Republic became tremendously aroused over the murder of Senator Robert Potter and Judge J. M. Hansford and other men equally well known and esteemed. President Houston realized the necessity of prompt action to bring peace and restore order and he instructed General James Smith to proceed to the scene of disorder. This General Smith did, marching with his troops to old Shelbyville in Shelby County, which was the rendezvous of some of the leaders. President Houston joined General Smith at Shelbyville. Mr. Crawford met them on their arrival and went into conference with them. As a Christian minister he was on most intimate terms with the leaders of both factions and was much respected by them. General Houston requested him to confer with the leaders of the Regulators and Moderators with the view of having them assemble at his headquarters at General Smith's camp. Mr. Crawford succeeded in having them lay down their arms and visit General Houston in a body. President Houston

greeted them cordially and at once entered into a conference with them. As a result of this conference both factions agreed to disband and peace and amicable relations were restored. General Houston thanked Mr. Crawford most heartily for the part he took in bringing about a cessation of hostilities without further bloodshed.

Mr. Crawford was the first Postmaster at Shelbyville during the Republic and the first postmaster at that place after the annexation, serving in the latter capacity from May 22, 1846 to June 15, 1846, the appointment being only a temporary one.

Mr. Crawford moved to Camp County in 1859 where he resided for twenty-five years, a portion of the time in the town of Pittsburg. He was appointed Postmaster of Pittsburg November 11, 1874 and served in that position until December 13, 1881.

Mr. Crawford was elected a member of the convention which met at Old Washington, March 1, 1836, and passed the ordinance of secession from Mexico. He was recognized as one of the most conservative members of that body of patriots and heroes. He had met many of the delegates on previous occasions and was consulted freely on matters pertaining to the work being done. He was a vigorous supporter of the Declaration of Independence submitted to the convention and was one of its signers. When the committee was appointed to draft a constitution for the new government, he was appointed a member of this committee.

During the confusion following the adoption of the Declaration of Independence, Mr. Crawford mounted a bench and cried out "Let us pray." "But the confusion was so great," said one of the delegates, "that his voice was drowned in the tumult."

Mrs. Crawford died at Pittsburg in 1881, and after Mr. Crawford's term as Postmaster expired in December, 1881, he moved to Hill County where he resided until 1885, when he moved to Johnson County and made his home with his daughter, Mrs. M. W. Harpold, who resided three miles from Alvarado. In 1895 he visited his son W. C. Crawford, Jr., residing near Dublin, in

Erath County and while there he died, September 3, 1895 and was buried in the Cow Creek cemetery near Dublin.

In 1893 Mr. Crawford prepared for the Alvarado Bulletin, Alvarado, Texas, a series of articles entitled "Recollections of Early Day in Texas." Through the courtesy of the editor of that publication, Mr. J. F. Pardue, I have secured these articles. They are extremely interesting and I am closing this sketch of Mr. Crawford's career by quoting some of the pertinent facts recited by him.

Regarding his birth and early career, Mr. Crawford said:

"I was born in Fayetteville, North Carolina and raised in Georgia. Having entered the ministery I was placed on a circuit in Alabama, from which state I emigrated to Texas. My Alabama circuit was a large one. In order to fill all my appointments, twenty-seven in number, I was compelled to ride on horseback a distance of three hundred miles every four weeks. Being exposed in all kinds of weather and forced by the nature of circumstances to be irregular in my diet, I contracted dyspepsia, of which I suffered exceedingly. At the close of my last year's work in Alabama, I was so broken in health that I was obliged to hire another person to carry my report up to the annual conference. Despairing of ever regaining my health in Alabama, I resolved to accompany my father-in-law, Mr. Lewis Watkins, a noble man, to Texas. I hardly expected to reach Texas alive, but the hand of providence was guiding me. On the fifth day of January, 1835, our little band crossed the Sabine river and entered Mexican territory. We selected Shelby County for our future home. My father-in-law settled his family on one side of a branch and I domiciled my family consisting of my wife, myself and dog, on the other side.

"My first appointment in Texas was at Shelbyville—that is, where Shelbyville was to be. The town had been laid out but building had scarce begun. A fued of great intensity had sprung up in Shelby County between men by the names of English and Bowlin * * * *. My father-in-law and I were the first to break the English ring in Shelby County, my father-in-law being elected Sheriff and I to the convention which declared the independence of Texas.

"I shall ever be proud of the fact that I was honored with a seat in that convention of March 1, 1836. There I met such men as Robert Potter, Lorenzo de Zavala, Jessie Grimes, Sam Houston, Thos. J. Rusk, S. O. Pennington and others whose names should be familiar to every school boy and girl in Texas. Most all the delegates to this convention came on horseback, turning their horses loose upon the prairie during the session. The convention hall was a board shanty containing four or five rooms, one of

which was used by the delegates as a sleeping apartment. In one of the rear rooms of this building I listened to the most remarkable speech ever made in Texas, before or since. This speech was made by Sam Houston, a member from Nacogdoches County. Mr. Houston, it must be remembered, had just returned from his mission among the Indians whose chief, Bowls, he was persuading to turn a deaf ear to the offer of Santa Anna. Having succeeded in his mission, he appeared in the convention wearing buckskins and a red blanket for a shirt. During his absence from the halls we had made him Commander-in-chief of the Texas army. It was in response to our choice of him as Commander and his fervent friendship for the Texas cause, that he made the speech to which I have referred.

"Mr. Houston was unanimously elected, there being but one name except his mentioned for the office. That was Mr. Robert Potter. Potter was an excellent young man, as loyal and brave as the best.

"Many incidents occurred during the convention which brought out the character of the men composing it, one of which I shall relate, will serve to show the degree of contempt in which the Mexican soldiers were held by the Texans at that time.

"One morning about the middle of the session a courier galloped into town with the information that Santa Anna was approaching by forced marches, plundering and murdering as he came. A consultation was called immediately. Judge Ellis, the president, addressed the convention, advising retreat, or rather flight, showing the helplessness of any defense we could make against Santa Anna's army. After Judge Ellis had finished his talk, Colonel Potter arose in his place and laughed heartily at the idea of our running from Mexicans. He ridiculed the whole story, saying that the Mexicans would not dare to come near us; that we were strong enough to whip all the Mexicans that Santa Anna might bring. Potter's harrangue decided the question of flight. Not a man among us thought of leaving Washington until we had finished the work we had undertaken.

"We were in great danger of having our throats cut but it must be remembered that Texans did not regard Mexicans as anything but cowardly murderers, who would not attack men who had any chance to defend themselves.

"On March 6, several days before the incident related, we received a letter from Travis telling of his desperate condition in the Alamo. When the convention, which at once convened, had heard Travis' letter read, a motion was made that the members arm themselves and immediately march to his relief. The folly of the attempt of fifty-eight men to relieve Travis was finally made plain to all. But how sad it was to know that our friends and neighbors were threatened with cruel butchery and we unable to render any assistance. If you had known and felt these things as I did, you could realize more fully the joy that filled every one's heart when the news

flew over the land that the murder of Fannin and Bowie and their brave men had been avenged on the field of glorious battle.

"Probably my younger readers would like to know if I did anything particularly worthy of mention as a member of the Washington convention. I am proud to say that I did. During the discussion of the constitution the following was offered to form a part of the constitution; 'No priest or preacher of any denomination shall ever be eligible to any public office in the Republic of Texas.' I opposed this resolution in two speeches. S. O. Pennington stood with me, but we could not persuade even a respectable minority to look at the matter as we did. Finally I offered this substitution; 'No priest or preacher shall ever be eligible to a seat in congress or the executive chair.' This substitute was adopted. I hope that my readers will not conclude from the foregoing that Texas at that time of which I write, was destitute of the spirit of Christianity or behind the rest of the civilized world in the observation of Christian law. The object was to separate Church and State which many thought could never be done while the church officials were allowed to fill political offices. All our political woes at that time were charged to the priesthood which controlled the affairs of Mexico. Many of the members seemed to be unable to distinguish the difference between priest and preacher.

"I moved to Shelbyville in 1836. At the time I moved there, there was a blacksmith shop in a cornfield and one dwelling. But the town grew rapidly.

"The war between the Regulators and Moderators occurred during Houston's second administration. The principal scenes of this bloody affair were enacted in Shelby and adjoining counties. I saw three men hanged in one day in Shelbyville in 1842.

"The original intention of the Regulators was good, viz: to suppress lawlessness. Being unrestrained, they also soon became lawless and the Moderators became a necessity. But of course the Moderators drifted into the same direction of all mobs and had to be checked by the exercise of executive authority. President Houston invoked the military to quell the disturbances and to protect the non-combatants."

I have quoted Mr. Crawford's statements because he gives a glimpse of what transpired at Washington during that memorable convention. Having given an account of Mr. Crawford's activities to assist President Houston in restoring order among the Regulators and Moderators, I will not repeat it here.

Hon. J. W. Truitt, now deceased, of Shelby County, devoted years of labor to collecting all the facts regarding the operations of the Regulators and Moderators, permitted me before his death

to examine the data he had accumulated regarding this tragic period and the facts set forth above were taken from his records.

Mr. Crawford was held in high esteem by the citizens of Pittsburg and Alvarado and I have secured from them many interesting events of his long and useful career in Texas.

Mr. Crawford lived a spotless life; one worthy of emulation.

THOMAS J. GAZLEY

Signer of The Texas Declaration of Independence

Member of Congress of the Republic—Studied Medicine —Came to Texas in 1832—Delegate to the Convention Which Met at Old Washington, March 1, 1836—His Family in Texas—Death.

The genealogical history of the Gazley family shows that Thomas J. Gazley, a signer of the Texas Declaration of Independence, was a descendant of John Gazley who settled at Goshen, Orange County, New York, in 1717. The Gazleys came from English stock and many of them were famous in English history. The name is spelled Gaselee, Gasley, Gazley and Gazly according to the period recorded. The American family spelled it Gazley, as John Gazley, the founder of the American family, Aibert Gazley, the author of "History of the Gazley Family," and Thomas J. Gazley, who came to Texas in 1832.

Sir Stephen Gaselee, the judge described by Charles Dickens in Mr. Pickwick's breach of promise suit, was one of the same family; likewise was Major General, Sir Alfred Gaselee, who commanded the British troops in China, according to Aibert Gazeley's family history of the descendants of John Gazley. Some of them in America were revolutionary soldiers and several of them married descendants of the Mayflower Pilgrims. One of them became a state senator and presidential elector on the Abraham Lincoln ticket. One of John Gazley's descendants, David Swing, gained fame as pulpit orator, one of them became a member of the United States congress.

"Many of the descendants of John Gazley," said Aibert Gazley, "became heroes in the Civil War, and one of them, Thomas J. Gazley, became famous in the early history of Texas, a signer of the Texas Declaration of Independence from Mexico, and participant in the battle of San Jacinto."

Thomas J. Gazley whose record we are considering here, was born in Duchess County, New York, January 8, 1801. He was reared and given an academic education in that state. He later

entered a medical college in Baltimore where he graduated as a physician. While in Baltimore he met Miss Elizabeth Boyce with whom he became desperately in love. The record shows that his affections were reciprocated. After completing his college course in Baltimore he returned to New York, but very soon thereafter he moved to Louisiana. This was in 1828. While practicing his profession in Louisiana he became acquainted with Captain John S. Roberts of Nacogdoches. Captain Roberts had returned to Louisiana to close up some business matters and while there he met Dr. Gazley who manifested an interest in Texas. Dr. Gazley was a personal friend of Robert M. Coleman's and it did not require much persuasion to induce him to make up his mind to emigrate to Texas. This was in the late fall of 1831. After making up his mind to emigrate to Texas he wrote to his affiance in Baltimore, Miss Elizabeth Boyce, to secure her consent to go with him to Texas. This was readily secured and he hastened to Baltimore and immediately after the marriage ceremony was performed they left for his home in Louisiana where they began to arrange to make their home in Texas. Regarding this event Mrs. Kate Gazley Nagle, a grand-daughter of Thos. J. Gazley's, residing in Fort Worth, says, "Thos. J. Gazley married Miss Elizabeth Boyce in Baltimore and he brought his bride to Texas, settling near Bastrop where he resumed the practice of medicine. He had a drug store on his plantation and his office was in this log building."

Mr. Gazley came to Texas early in 1832 and as is stated by Mrs. Nagle settled in the municipality of Bastrop on a tract of land secured for him through the assistance of General Edward Burleson for whom in after life he formed a great attachment.

Dr. Gazley had not been in Texas long before the trouble broke out at Anahuac. He allied himself with the progressive or war party and strongly supported Travis and those who joined him in forcing Bradburn to release the Texans held as prisoners at Anahuac. This was the beginning of the differences among the colonists as to policies. Two factions were created and the breach widened until the meeting of the consultation at San

Felipe in November, 1835. On July 2, 1832, Dr. Gazley forwarded to John Austin, the second Alcalde at Brazoria, a copy of an address prepared by the citizens of Bastrop to Ramon Musquis and the Ayuntamiente at San Felipe. This address pledged loyalty to the Mexican government and read as follows:

"The citizens of the town and settlement upon the Rio Colorado declare unequivocally that they have ever been and still continue to be loyal subjects of the Mexican government, and are ready to obey any order, command or requisition that may be deemed necessary.

"They further declare that they respect and are subject to the constitution and laws and will take up arms for their defense if required by the government."

In his letter to Mr. Austin Dr. Gazley said:

"The foregoing is a verbatim copy of the writing that was signed by the citizens of this precinct. The people are now in favor of Santa Anna.

"I transmit the copy to you in compliance with my promise and the request of several persons in Brazoria, in order that misrepresentation made may be corrected."

Dr. Gazley was accompanied to Texas by two brothers, William and George Gazley. Both of these brothers became prominent in the affairs of Texas as a Mexican state and Texas as a Republic.

Dr. Thos. J. Gazley continued the practice of his profession at Bastrop and superintended his plantation which was conducted by slaves.

When the convention was called to meet at Old Washington, March 1, 1836, Dr. Gazley's neighbors solicited him to become a candidate for election as a delegate. He very courteously declined the honor, but when the demand became general he entered the contest and was elected by an almost unanimous vote of his neighbors. He attended the convention and was a conspicuous figure in its deliberations. When on March 6th a letter was received from Col. Travis advising of the assault being made by Santa Anna on the Alamo, great excitement prevailed and a movement was started to adjourn the convention and go to Travis' rescue. Sam Houston opposed such a move and fought the proposition vigorously. Mr. Gazley joined him and made a most vigorous protest against it. "After Mr. Houston and Dr.

Gazley completed their remarks,'' said Mr. Stewart, ''there was no one to defend it, even its mover did not defend it.''

Dr. Gazley was a strong supporter of the Declaration of Independence and the Constitution presented and affixed his name to these instruments.

Aibert Gazley's history of the Gazley family shows that Thos. J. Gazley was a participant in the Battle of San Jacinto.

Dr. Gazley was prominent in Masonic circles during the Republic and afterwards in the State of Texas. He was a useful member of the Second Congress of the Republic.

From Mr. Henry L. Gazley, a prominent court official of San Antonio, a grand-son of Thos. J. Gazley, and Mrs. Kate Gazley Nagle of Fort Worth, a grand-daughter of Thos. J. Gazley, I have secured some interesting facts regarding Thomas J. Gazley's family.

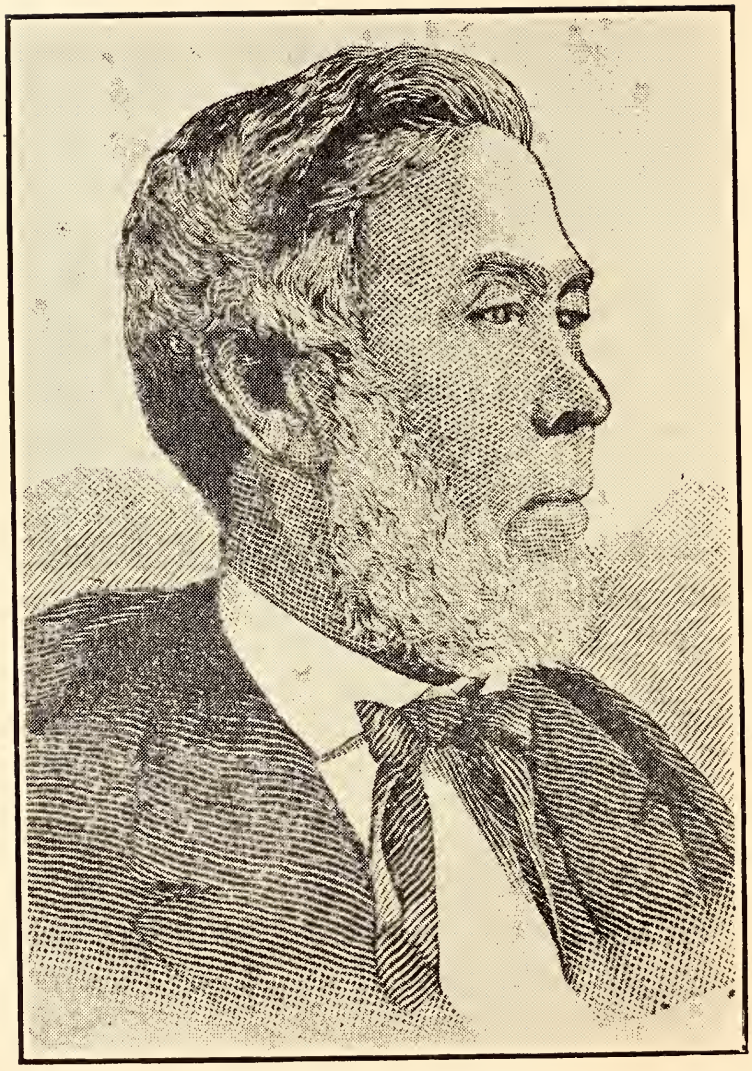
Thos. J. Gazley served several terms as County Judge of Colorado County. His home in Columbus was noted for its hospitality. He had four sons who lived to years of maturity, as follows: William H. Gazley, Thomas J. Gazley, Ed. T. Gazley and Frank Gazley. William H. Gazley was a prominent lawyer of LaGrange. He was a Captain in the Confederate army and was killed by an enemy in Bastrop County. Thomas J. Gazley Jr., resided in Waco where he died. He was a brave soldier in the Confederate Army. Ed. T. Gazley was a physician and resided for a time in Austin, Kyle and Yoakum. He died at Pettus about two years ago. Frank Gazley was the youngest son of Thomas J. Gazley. He resided in Waco and was a Confederate Veteran and died in the old soldiers home at Austin a few years ago.

Mrs. Elizabeth Boyce Gazley, the widow of Thomas J. Gazley, died in Waco in 1884. The descendants of Thos. J. Gazley have been unable to give the date of his death though it is known that he died in Colorado County previous to 1880.

Mr. William Menefee and Colonel Edwin Waller who knew Thomas J. Gazley well, spoke in the highest terms of him. Menefee said; ''Thomas J. Gazley was one of the truest friends I ever had. He was a man of noble character and lofty ideals.

I knew him as a member of the Constitution Convention, a member of the Congress of the Republic of Texas and a citizen, and he was always the same true and loyal patriot. He was a man of culture and refinement and possessed a humor that was irresistible. He was very fond of the young folks and was always planning for their amusement. On this account, and for his generous nature, they were very fond of him and were continually surprising him with gifts."

Mr. Waller said; "I visited Dr. Gazley and he visited me. He was a thorough gentleman. He was very fond of General Houston and supported him and all his measures. He was a man of an even temper ordinarily, but when aroused he was vindicative, but he did not cherish malice or hate. He loved his friends and was a true patriot, a good neighbor and confiding friend. Mrs. Gazley was a most excellent lady. She was of a good family and a leader in charitable and religious work. They raised an interesting family of four or five children who reflected credit upon them."



STEPHEN W. BLUONT

STEPHEN W. BLOUNT

Signer of the Declaration of Independence

Birth and Career in Georgia—Comes to Texas in 1835 and Settled at San Augustine—Delegate to the Old Washington Convention, 1836—Prominently Identified with the Development of Eastern Texas—Rears a Large Family—Death in 1890.

When the call for the convention which met at Old Washington on that historic morn, March 1, 1836, reached the colonists, every breeze that swept over the plains of Texas bore upon its wings tidings of strife and bloody conflict beyond the Rio Grande. These frightful messages of despair were but warnings to the Texans to be alert and prepare for carnage. Lurking foes were in their very midst scattering pictures of gloom and desolation. They saw gathering around them, thick and fast, dark and corroding clouds. But the men who gathered there to do their country's bidding were cool, sagacious, prudent, brave and determined. They possessed the rare faculty of infusing their indomitable courage and determination into the hearts of the timid and doubting.

The pioneers of the Republic passed through terrible ordeals, but they were the test of the human character and fitted them for the struggle which was on its way.

Colonel Stephen W. Blount, who was an honored and distinguished delegate to the convention, was no ordinary man. He possessed those traits of character which fitted him for deeds of heroism and valor. He possessed a splendid personality. He was modest and unassuming and was highly esteemed as a citizen and Christian gentleman. He came of a prominent family. His forbears were men of prominence and influence. His grandfather, General Stephen Blount, was a renowned soldier in the revolutionary war. He was twice wounded in the battles of the revolution, losing a leg in the siege of Savannah. He held the position of customs collector at Savannah during President Washington's second administration.

Colonel Stephen W. Blount was born in Burke County, Georgia, February 3, 1808. Here he was reared and given an

academic education. The only office he ever held before coming to Texas was that of Sheriff of Burke County, Georgia. However, he served as Colonel on the staff of Governor Schley, of his native state.

In the summer of 1835, Colonel Blount made a business trip to Montgomery, Alabama. While there he became acquainted with Captain Archibald Hotchkiss, a distinguished citizen of Nacogdoches, who gave him a glowing account of Texas. He pictured to him in graphic language her rich soil, broad prairies, primeval forests, wide streams, extending sea coast, her game and fish and hidden mineral resources, equitable climate, her opportunities in agriculture and live stock. Mr. Hotchkiss' description of Texas so fascinated me,'' said Colonel Blount to the writer, ''that I at once made up my mind to go to Texas. He did not withhold from me the growing trouble between Texas and Mexico, but frankly discussed every phase of the trouble. He won my sympathy as well as my confidence, and I grew impatient awaiting the day of my departure for Texas. I had not been here long before I concluded that Mr. Hotchkiss had not told half the truth about the state.''

Colonel Blount reached San Augustine in the fall of 1835 and very soon thereafter arranged to make it his permanent home. Soon after reaching San Augustine, Mr. Blount married Miss Mary Landon, a native of Vermont, but who came to Texas with her parents and settled at San Augustine prior to his coming.

Colonel Blount had not been in San Augustine long before it dawned upon the people of that section that he was a man of unusual intelligence, judgment and strength of character. His advice was sought regarding all manner of questions which arose among the settlers. His reputation as a conservative and safe counsellor, spread throughout the country and when a convention was called to meet at Old Washington, March 1, 1836, to finally fix the status of the country, there was a general agreement that Colonel Blount should be one of the delegates representing the municipality of San Augustine, and when the date came for selecting delegates, he was chosen. He regarded his

selection as a great compliment, specially when there were so many other able and capable men in the district who had preceded him to Texas. "I cannot say that I was surprised by my election because I had been solicited to offer for the place by all the leading citizens of the community," said Colonel Blount to the writer. "But I was pleased and gratified. It was generally understood that this convention would take some action regarding its relations with the Mexican government. War had practically been waging since the trouble at Gonzales and the peace party had dwindled down to a mere handful, the majority having abandoned all hopes of reconciliation. The opinion generally prevailed that a permanent separation from Mexico was inevitable. The delegates then, were placed in a position of grave responsibility. But they did not shirk it.

Colonel Blount joined other delegates from eastern Texas and proceeded to Old Washington on horseback. It required three days journey, necessitating that they sleep on their blankets two nights enroute. On arriving at Old Washington he found the majority of the delegates had preceded him. He sought the acquaintance of those he had not before known and discussed with them in informal manner the work mapped out for the convention. His splendid physique and pleasing personality, combined with his practical common sense, made him a conspicuous figure in the convention and he attended all the sessions of the convention and took a prominent part in its proceedings. When the committee presented the draft of the Declaration of Independence he favored its immediate adoption. This was accomplished by a unanimous vote of the delegates. When the delegates began signing the instrument he sought three of his associates from eastern Texas, Messrs. Martin Parmer, Edwin O. LeGrand and James Gaines, and the four proceeded to the secretary's desk and affixed their signatures to the instrument. "When we reached the secretary's desk," said Colonel Blount, "Sam Houston had just taken his pen in his hand to affix his name and I looked over his shoulder and saw him write his name. Following his name was that of David Thomas who afterwards became Attorney General in Mr. Burnet's cabinet."

A writer in "Texas and Texans" tells us that while Colonel Blount was returning from Washington to San Augustine, that he met a company of troops under the command of Captain Ratcliff, which he joined on their march to join General Houston's army, but only those of this company who had good horses were enabled to reach San Jacinto in time for the battle. Mr. Blount is said to have taken part in the battle. This is doubtless correct.

When San Augustine County was organized in 1837, Colonel Blount was elected its first County Clerk. He served as Postmaster of San Augustine under the administration of President Tyler, taking office early in 1846. In 1850, he was a delegate to the Democratic State Convention at Waco. During the war between the states he was fiscal agent of the Confederate States. In 1876 he was a delegate to the Democratic National Convention at Cincinnati. Colonel Blount was a charter member of the Red Land Lodge No. 3 of Masons. He reared a family of six children, three sons and three daughters. His sons all became prominent and influential citizens of eastern Texas.

Colonel Blount was an admirable companion. His heart grew mellow in his declining years.

The writer spent ten days in almost daily association with him at one of Texas' famous watering places about ten years before his death. During this period he had many opportunities to hear from his own lips accounts of interesting events which enliven the pages of Texas history. His quiet manner grew around him the young and old who listened with rapturous interest to his narratives of early events in Texas, especially during the period leading up to the Texas revolution and during its waging. He was a close observer of the personal characteristics of the delegates to the convention which declared Texas independent of Mexico, and the writer secured from him valuable information regarding many of them. These reminiscences the writer has preserved. But for this they would have been lost.

Colonel Blount died in 1890.

JOHN S. D. BYROM

Signer of the Texas Declaration of Independence

Birth and Early Life—Is a School Teacher—Came to Texas in 1830—In the Battle of Velasco—Member Consultation, 1835—Delegate to the Convention at Old Washington—Death.

Mr. Byrom was a man of commanding personality whose short career in Texas was marked by deeds of courage, valor and heroism. His death early in 1837 cut short a career of honor and usefulness to the Republic. Not only was he a wise counsellor and champion of the colonists but the was a brave defender of their rights and liberties. His deeds of bravery were inspired by the loftiest ideals of patriotism. He came to Texas before the breaking out of hostilities between Texas and Mexico and at once gave his support to the activities of the colonists in their struggles to establish civil, political and religious liberty. The citizens of the municipality of Brazoria where he located on coming to Texas, were brave, progressive and determined in their efforts to maintain their rights and liberties under the constitution of 1924. They were aggressive in their opposition to every attempt of the Mexican authorities to abridge the rights guaranteed them by the constitution. The first breach had just begun to widen when Mr. Byrom reached the state. He found the people jealous advocates of the constitution of 1824 and resentful of Bustamente's decree ignoring its guarantee to the Texas settlers of a peaceful occupancy of the land. He had not been here long before he realized that the country was on the verge of a revolution and he set out to learn the causes which had produced the discordant notes borne on every breeze. His investigations carried him into every settlement of the state and brought him into contact with many of her prominent men. His bold and outspoken opposition to Mexico's programme of humiliation of the settlers won their esteem and confidence and when he returned to Brazoria he was ready to join any plan that promised tranquility. But the fact soon dawned upon him that his effort would prove unsuccessful.

And when trouble arose at Anahuac in 1832, he joined an expedition organized at Brazoria to go to the relief of the Texans imprisoned at that place. He accompanied the expedition down the Brazos River to Velasco that encountered and captured the Mexican troops guarding the post of Velasco. His conduct during this voyage was that of a most gallant soldier. As a full account of what transpired as a result of this expedition is given in my sketch of Edwin Waller, I shall not repeat it here.

When Stephen F. Austin visited Brazoria after his return to Texas from his long confinement in a Mexican dungeon, Mr. Byrom was one of his escorts. And when Mr. Austin joined those favoring a consultation of all the people, Mr. Byrom gave strong support to the idea and was elected a delegate to that body which met at San Felipe in November, 1835. He took an active part in the proceedings of the convention and displayed good judgment in the advocacy of those measures calculated to give character and stability to the government established for the protection of the people.

Mr. Byrom was likewise a delegate from Brazoria to the Old Washington Convention of March 1, 1836, which adopted the Declaration of Independence. He joined those favoring a permanent separation from Mexico and was a signer of the Declaration of Independence.

Mr. Byrom was born in Georgia, September 24, 1798. Here he was reared and educated. After teaching school a few years he crossed the line of Georgia and entered the Territory of Florida. From that state he came to Texas in 1830 and settled in the municipality of Brazoria.

Mr. William Menefee said this of Mr. Byrom: "I remember well the zeal he manifested in behalf of a declaration of independence at the Washington Convention, and when the committee headed by Mr. Childress, reported a declaration proclaiming Texas independent of Mexico, he manifested his approval by a loud cheering. He was among those who rushed to Mr. Childress and embraced him. His enthusiasm created amusement among the delegates."

Mr. Charles B. Stewart spoke very kindly of Mr. Byrom and said, "We were all grieved when we learned of his death. He was highly esteemed by those who knew him well and understood his impetuous nature."

Mr. Edwin Waller, in answer to a letter addressed to him by the writer, said; "I will say that I knew John Byrom before the incident at Velasco. He was a most excellent man * * * *. He was not regarded as brilliant, but he had a well balanced brain, a soft heart and was as brave as a lion. His record from the date of his arrival in Texas proves that."

"I regret that I cannot give you the date of his death or the causes which brought it about."

Mr. Byrom died in Brazoria County in 1837.

JOHN W. BUNTON

Signer of the Texas Declaration of Independence

Member of Congress of the Republic—Early Life in Tennessee—Came to Texas in 1833—Joined in Campaign against Indians—Delegate to the Convention of March 1, 1836—Appointed on Committee to Draft Constitution —Took part in Battle of San Jacinto—Member of First and Third Congress.

John W. Bunton came to Texas at a time when men of his type were needed to combat the encroachments of Mexican tyranny. The excitement incident to the driving of Bradburn from Anahuac and Pedras from Nacogdoches had not subsided. Santa Anna had succeeded Bustamente as President of Mexico and Mr. Bunton found the colonists in sympathy with him. The first steps toward an independent organization in Texas was through committees of Safety. Among the first Committees of Safety organized was that of Mina (Bastrop), May 17, 1835. Mr. Bunton took an interesting part in the organization of this committee and was elected its first secretary. This committee was composed of D. C. Barrett, John McGehee, B. Manlove, Edward Burleson, Samuel Wolfenberger and John W. Bunton. This committee was selected by a mass meeting of the settlers of Mina, May 17, 1835. There were a number of colonists who took part in this mass meeting who afterwards became conspicuous in the affairs of the Republic. Mr. Bunton was a man less than thirty years of age, strong and vigorous and filled with an enthusiastic desire to render service to the country. He was a man of commanding personality, accustomed to hard and arduous labor. The men composing the Committee of Safety were all types of the rugged frontiersmen. Some of them had seen military service before coming to Texas and were willing to render it here. Mr. Bunton and Mr. Burleson were friends in Tennessee, both having performed military service in that state, the latter as Colonel of the Militia and the former as a non-commissioned officer. Mr. Burleson preceded Mr.

Bunton to Texas nearly two years, having come here early in 1831 and settled in what is known now as Bastrop County, near the present city of Bastrop. It was but natural for Mr. Bunton to settle near his old Tennessee friend. When he reached the Bastrop settlement he sought Mr. Burleson and was a guest at his home for several days.

Regarding Mr. Bunton's early residence in Texas, Eli Mitchell said: "The first time I met Mr. Bunton he was riding through the country from the Bastrop settlement to Gonzales. There were several men in the party, but Mr. Bunton's personality especially attracted me. He was neatly clad, rode one of Mr. Burleson's best horses and had the air of a man of boldness. While our meeting was casual he asked me a number of questions regarding the country, its lands, its people, its products, its climate. I was greatly impressed by his manly bearing."

Mr. Bunton soon became prominently identified with the settlement and development of the country and joined in its defense against Indian raids. So active did he become in the country's defense that he was soon recognized as a leader in thought and action.

When a consultation of all the people was called in 1835 to meet at San Felipe, he was urged to permit the use of his name as a candidate to represent the municipality of Bastrop. This he declined as his friend and neighbor, D. C. Barrett, had announced for the position. However, when a convention was called to meet at Old Washington, March 1, 1836, he notified Mr. Barrett, whose name had been mentioned as a candidate as a delegate, that he would offer for the place. This he later did and was elected by a large majority, over two opponents. He attended the convention and joined in proclaiming a Declaration of Independence from Mexico and was a signer of that instrument. When a committee was formed to draft a constitution, Mr. Bunton was appointed on that committee. This committee was composed of the following members: Martin Parmer, Robert Potter, Charles B. Stewart, Edwin Waller, Jesse Grimes, R. M.

Coleman, John Fisher, John W. Bunton, James Gaines, Lorenzo de Zavala, S. H. Everett, Bailey Hardeman, Elijah Stapp, W. C. Crawford, Claiborne West, James Power, Jose Antonio Navarro, Collin McKinney, William Menefee, William Mottley and M. B. Menard. Later Sam Houston, David Thomas and James Collingsworth were added to the committee.

Mr. Bunton was appointed chairman of a special committee to report on the condition of the regular army. His report to the Convention set out the fact that the information he had secured was incomplete, but he reported that of the regular army there were only sixty privates.

The apparent indifference of the people was indeed discouraging and the regular army was pitifully small. It appears that this apathy existed all over the state. The people did not become thoroughly aroused until the Mexican army entered upon Texas soil and began its bloody work.

After the adjournment of the convention Mr. Bunton joined Company C, First Regiment Texas Volunteers, Edward Burleson Colonel, and Jesse Billingsley Captain, and participated in the battle of San Jacinto. He made a record for bravery and daring in the precipitous charge against the Mexican breastworks. "His towering form," said Captain Billingsley, who fought by his side, "could be seen amidst the thickest of the fight. He penetrated so far into the ranks of the defenders of the breastworks that it is miraculous that he was not killed. But he came out of the deadly conflict unscathed."

After the defeat of Santa Anna at San Jacinto, Mr. Bunton returned to his home and was elected a member of the First and Third Congresses of the Republic. He was a wise and safe advocate of those measures giving stability to the government.

Mr. Bunton was born in Tennessee in 1808. Here he was reared and educated. He joined the State Militia of Tennessee and took an active part in the campaigns against the Indians who made frequent raids against the settlers on the Tennessee frontier.

A number of years before his death Mr. Bunton settled on a splendid estate in Travis County, a few miles south of Austin. He reared a family of boys and girls who became useful citizens.

I have been unable to secure the date of Mr. Bunton's death. John Henry Brown says that "he died about 1872, leaving a record for bravery and patriotism and useful service to the country."

W. CLARK, JR.

Family History—Early Life—Comes to Texas in 1829—Locates on Sabine River—In the Battle of Nacogdoches—Delegate to the Convention at Old Washington, March 1, 1836—Burnet Requests Him to Assist Him—Member of Second Congress of the Republic—Moves to Nacogdoches—Death.

When Mr. Clark attached his name to the Texas Declaration of Independence, he signed it "W. Clark, Jr.", although his colleagues in the Washington convention and the Congress of the Republic never refer to him as W. Clark, Jr.

Mr. Clark belonged to a family of wealthy Virginians, whose forebears immigrated to America early in 1700 and settled in Virginia. Among the earliest of the family to gain fame and renown was James Clark who was born in Bedford County, Virginia, in 1757, and whose parents moved to Kentucky when he was a child. He studied law and became a famous advocate at the bar, judge and member of Congress. He served in the Thirteenth and Fourteenth Congresses, March 4, 1813, to December 5, 1816. Mr. Clark resigned before the end of his second term. He had as his colleague in these congresses, such men as Henry Clay and Richard M. Johnson. When Mr. Clark resigned his seat in the Fourteenth Congress, Mr. Clay expressed his regrets from the floor of the house. Mr. Clark re-entered politics in 1924 and was elected a member of the Nineteenth, Twentieth and Twenty-first Congresses and served from March 4, 1825 to March 3, 1831. He wound up his political career as Governor of Kentucky in 1836.

Then there was Henry Silby Clark, of North Carolina, a prominent lawyer, state official and a member of congress; and James West Clark of the Fourteenth Congress, also from North Carolina, whose record was an honor to the family.

All of these, along with W. Clark, Jr., were direct descendants of Abraham Clark, who settled in Virginia early in 1700.

W. Clark, Jr., was born in Virginia in 1778. Here he was reared and given an academic education. He later moved to

Louisiana, where he engaged in farming and merchandising. He was a very successful trader and amassed considerable wealth. He came to Texas in the summer of 1829 and settled in the District of Sabine. That section of Texas was at that time almost uninhabited. A few families had located on the streams running into the Sabine River and a few had opened up homes on the river. Mr. Clark selected a suitable location near the west bank of the Sabine and built as comfortable quarters as conditions would allow. Being a man of mature age and possessing means, he soon exercised a most potent influence over his neighbors and countrymen. His home was known far and wide for its hospitality and he entertained all classes of travelers; some seeking homes in the Mexican state which had been opened up to American colonization; some adventurers, seeking excitement and exploitation and others seeking refuge from the law. As a result of his wide acquaintance among the settlers of that sparsely populated section, he became a recognized leader among them.

When trouble arose between Bustamente's military and the colonists, Mr. Clark became a participant in the conflict which followed. He joined the Texans when organized and marched against the Mexican commander at Nacogdoches and assisted in driving his troops from that place.

When a convention was called to meet at Old Washington, March 1, 1836, his neighbors selected Mr. Clark a delegate to that convention. He was an uncompromising advocate of an absolute and definite separation from Mexico and the establishment of an independent Republic. He was bold and aggressive in his declarations favoring this programme; and when the committee headed by Mr. Childress reported a Declaration of Independence and it was considered by the delegates as a committee of the whole, he expressed his approval of its provisions; and when it was adopted he became one of its signers.

After the adjournment of the convention, Mr. Clark remained a day in conference with Mr. Burnet, who had been elected President *Ad Interim*. Dr. Benjamin B. Goodrich, a member from

the Washington District, also remained over with Mr. Clark. They had been requested by Mr. Burnet, to assist him and his cabinet in inaugurating a system by which supplies for the army could be collected and forwarded to sustain the army. John W. Moore, also a signer of the Declaration of Independence and who had been agent of the government in collecting supplies, joined this conference. On returning to their homes, both Mr. Clark and Mr. Goodrich entered into the work of mobilizing supplies and both of these gentlemen advanced from their private resources money sufficient to carry out the plans of the government.

Mr. Clark was elected a member of the Second Congress of the Republic and took an active part in the enactment of laws strengthening the government and giving stability to our institutions. During the session of this congress, Mr. Clark was attacked by serious illness and was confined to his bed for several weeks. His life was despaired of, but, by constant nursing and daily and nightly vigil on the part of his physician, he regained his usual strength.

Mr. William Menefee left this record of Mr. Clark. He said:

"It was stated at Washington that Mr. Clark was one of the wealthiest men of that group of pioneers who settled in eastern Texas prior to the Texas Revolution. But there was nothing in his appearance or words that confirmed this. He was a bundle of energy, rather reserved about talking about his personal affairs and what the phrenologist would call secretive. He was a man of noble impulses, thoroughly sincere; considerate of others opinions, but firm in his own. I remember him well and had several interesting conferences with him. He was a particular friend of Mr. Robert Potter's, though of an entirely different temperament. During the convention, Mr. de Zavala had a long conference with him regarding the incident of driving Mexican troops from Nacogdoches. I joined them about the close of the conference and heard Mr. de Zavala tell him that the facts related greatly interested him and greatly differed from the report which reached Mexico."

Mr. Clark moved from Sabine County to Nacogdoches about 1840, where he resided until his death, January 3, 1871. Mr. Clark married Miss Martha B. Wall. I have been unable to se-

cure any information regarding her family, other than she belonged to a family who were prominently identified with the early settlement of eastern Texas.

Mr. Clark was buried in the old cemetery in Nacogdoches, where the remains of many of the men and women who became famous in the early period of eastern Texas history rest.

JAMES T. COLLINGSWORTH

Signer of the Texas Declaration of Independence

Early Life in Tennessee—Studied Law—Appointed District Attorney by President Jackson—Came to Texas in 1834—Member of the Consultation and General Council—Delegate to the Convention which met at Old Washington, March 1, 1836—Joined General Houston's Army—Served on His Staff at Battle of San Jacinto—Secretary of State in Burnet's Cabinet—Member of Senate of the Republic—Elected First Chief Justice of the Supreme Court of the Republic—Drowned in Galveston Bay.

Judge James T. Collingsworth's short residence in Texas was marked by great usefulness to the Republic. Mr. Yoakum, the historian, described Judge Collingsworth as a "man of fine talent and great urbanity. He had a pleasant wit and was a most admirable companion and of scrupulous integrity."

Judge Collingsworth was born in Tennessee in 1804 and was educated in the schools of his native state. He was a youth of studious and exemplary habits and early in life was recognized as one destined for great usefulness. After completing his academic studies he entered upon the study of law and after two years of diligent study he was admitted to the bar. He began the practice of law at Columbia where he was soon rewarded for his diligence by a large clientage. He was a strong personal friend of James K. Polk, who was at that time a Representative in the United States Congress and when the United States District Attorney's office became vacant in 1830, Mr. Polk joined by Senators White and Grundy of that State in urging President Jackson to appoint young Collingworth to that post. This he did. Mr. Collingsworth held this position for four years, but declined re-appointment in 1834 and came to Texas, settling at Matagorda. Here he resumed the practice of law. He soon became known far and wide as an advocate of great prominence and ability.

When the trouble broke out between the colonies and Mexico, Mr. Collingsworth espoused the cause of the colonies and advo-

cated drastic measures toward Mexico. When the proposition to call a consultation of all the people was first proposed he favored such a convention. That convention met at San Felipe in November, 1835. He was a delegate to the convention which met March 1, 1836, at Old Washington. He took a leading part in its deliberations and strongly advocated separation from Mexico. When a declaration of independence was presented by George C. Childress, he advocated its approval; and when the instrument was adopted he became one of its signers.

After the adjournment of the convention Mr. Collingsworth joined General Houston's army and was serving on his staff at the Battle of San Jacinto. He made a brilliant record for bravery in this engagement. He was honorably mentioned by General Rusk in his official report of the battle of San Jacinto to President Burnet. Of Mr. Collingsworth, Mr. Rusk said: "While I do justice to all in expressing my high admiration of the bravey and gallant conduct of both officers and men, I hope I may be indulged in the expression of my highest approbation of the chivalrous conduct of Major James Collingsworth in almost every part of the engagement."

Mr. Collingsworth served for a short time as Secretary of State in President Burnet's Cabinet. At the first meeting of the Cabinet after the Battle of San Jacinto to consider the disposition of Santa Anna, Mr. Collingsworth opposed a treaty of peace with him, but later changed his views and favored the proposed treaty.

Very soon after the treaty of peace with Santa Anna was signed, Mr. Collingsworth was appointed one of the Commissioners to the United States. When William H. Wharton resigned as a member of the First Senate to accept appointment as Minister to the United States, Mr. Collingsworth was elected to succeed him and this same body elected him Chief Justice of the Supreme Court of the Republic.

In 1838, he became a candidate for President of the Republic, his opponents being M. B. Lamar and Peter W. Grayson. A short time before the day of the election Judge Collingsworth

was drowned in Galveston Bay. It has been stated by some writers of Texas history that he deliberately threw himself from a steamer into the bay. Others tell us that he accidentally fell overboard. The preponderance of evidence favors the former account of his death. When the account of Judge Collingsworth's death reached the people, real sorrow was felt. His opponent in the race for President of the Republic, Mr. Lamar, said: "I regret to learn of Judge Collingsworth's tragic death. He possessed a wonderfully bright intellect and was a most useful citizen."

Thomas J. Rusk said: "He was a brave soldier, a strong friend and a great lawyer. His wise counsel will be missed."

At an address before the Texas Bar Association at Galveston in 1895 Judge A. W. Terrell said this of Judge Collingsworth:

"Judge James Collingsworth left a record of which we should all be proud. He was a lawyer of distinguished ability who preferred to settle his clients' troubles out of court where it was possible. He despised long drawn out litigation. Judge Thomas Rusk once told me that Judge Collingsworth possessed the brightest legal mind he had ever encountered at the bar; that he would never rest his cases on technicalities, but depended on the law's intent to win his cause. 'His interpretation of the law's meaning', said Judge Rusk, was clear, logical and convincing; and his persuasive argument before the court convinced judge and jury of the correctness of his views. The younger lawyers dreaded to meet him before the bar as an opponent, although he was very considerate of their feelings and often aided them in presenting their pleas. His success was not due so much to his eloquence as his familiarity with every phase of legal construction. His mind was a storehouse of legal opinions and his knowledge of common law practice was marvelous."

When Collingsworth County was created from Young Land District in 1876, it was named for James Collingsworth, a signer of the Declaration of Independence and First Chief Justice of the Supreme Court of the Republic of Texas.

EDWIN CONRAD

Signer of the Texas Declaration of Independence

Early Life—Came to Texas in 1829—Burned out by Indians—Delegate to the Washington Convention of March 1, 1836—On Committee to Draft Declaration of Independence—Refused Public Office.

Mr. Conrad was a man of courage, intellect and influence. He came to Texas in the twenties and climbed to the hilltop of distinction, while many others who shared like privations and vicissitudes of pioneer life, walked through the valley of obscurity. The difficulties he encountered and the troubles and disappointments which came to him did not discourage him. They stimulated his energies, aroused his talents and rendered him competent to grapple and overcome the things which challenged the intellect and ambitions and developed within him that marvellous ability which enabled him to conquer opposing circumstances. He was made strong by his struggles against hardships and penury. Dio Rivers uttered a great truth when he said: "With no commotion to awaken ability; no necessity to summon talents; nothing to fetch virtue and genius into prominence and control, we are likely to become drones in the great hive of human industry, where the honey of knowledge and goodness is stored."

Mr. Conrad had more than his share of trials and disappointments. He was visited by drouth, fire and flood; even more, his property was laid waste by the treacherous and cruel Tonkawan. He rebuilt and again became the victim of their cruel raids. But with all this, he was never jostled from his orbit, although he was forced to occupy the humblest quarters and bear the lash of misfortune and poverty. But amidst his adversities he was acquiring those accomplishments which drew to him the friendship and sympathy of the most prominent and illustrious of the pioneers of that section and period. We find him the companion of Power, the friend of Linn, of Ingram, of

DeWitt, of Austin, of Fannin, of Houston and others whose valiant deeds gave their names immortality.

Mr. Conrad early became impatient with that large group of conservatives who clung to the hopes that the Mexican Government would finally recognize the pleas and petitions of the colonists for the restoration of the privileges which were vouchsafed them by the Constition of 1924. But in expostulating with them, he never became peeved, or lost his faith in their patriotism. But he doubted their judgment. In a letter addressed to Ira Ingram, who soon thereafter became the Secretary of the Convention which assembled at Goliad, December 20, 1835 and adopted a Declaration of Independence, he said: "I am not in accord with the spirit of procrastination, which holds in its grasp many of our people. But I have faith in their sincerity, but little in their judgment. I am looking to the organized government for a more determined stand for independence. If this is long delayed, our cherished hopes will be blasted and we will become the vassals of the most repugnant government history has ever known."

When the call for a convention to meet at Old Washington, March 1, 1836, reached Mr. Conrad, he was filled with hope and enthusiasm. He quitted his home and business and sought the council of the settlers, urging them to recognize it as the hope of the state. His influence was tremendous, though there were many who expressed doubt that anything would be done to precipitate action bringing about absolute separation from Mexico. They were unfamiliar with the change of sentiment in the most densely settled sections of the state. He assured them that the convention would forever seal the destiny of the state's relations to the Mexican government. At the election which soon followed, February 1, Mr. Conrad was elected one of the delegates to this convention. In company with James Power and other delegates from nearby territory, he reached Old Washington February 27. "As soon as we began to mingle with the delegates assembling there," said Mr. Conrad, "I realized that the convention would be composed of great, heroic and patriotic men—men true

and determined—men of character, standing and patriotism. Every one seemed to realize the magnitude of the work before them but they welcomed the opportunity to perform it.''

Mr. Conrad's quiet, and manly course drew the attention of the delegates. Many of them knew of the privations and sacrifices he had endured and his steadfast devotion to the cause which brought them together. They recognized him as a man of courage and patriotism. When President Ellis announced the committee to draft the Declaration of Independence, Mr. Conrad was named as one of that committee.

''The committee was considered a strong one,'' said Mr. E. M. Pease, Assistant Secretary of the convention. ''It represented about equally, both former factions. All of them were strong men—strong in intelligence, experience and patriotism. When this committee held its last session before their final report, Mr. Conrad was selected to assist Mr. Childress in explaining its provisions, should any question be raised. Mr. Conrad showed nervousness and stood while the report was being read, and when it was adopted he joined in the applause. He was soon surrounded by excited delegates who were pressing to grasp him by the hand. One delegate stood on a bench and cried out 'Let us pray,' but his voice was drowned by the tumult and confusion.''

Before the adjournment of the convention, news of Santa Anna's army invading Southwest Texas reached Washington and as soon as Mr. Conrad could be released from his duties, he hastened homeward with the view of saving what he could from the ruthless hands of the invaders.

After the Battle of San Jacinto, Mr. Conrad returned to his ranch home and refused public office of every character.

Mr. Conrad was born in Pennsylvania, February 22, 1810. Here he was reared and educated. He came to Texas in 1829 and settled in the municipality of Refugio. He passed through many harrowing experiences, many hardships on account of drouths and floods and Indian depredations. But he continued his residence there in spite of these disasters.

We do not surely know the date of his death, but Father Algerato, in 1875, stated that ''it occurred about 1846.''

GEORGE WASHINGTON SMYTH

Patriot of the Republic and Signer of the Declaration of Independence

Came to Texas in 1828—Became Commissioner of Titles under Mexican Law—Appointed Commissioner to Establish Boundary Line Between the Republic of Texas and the United States—Elected Commissioner of General Land Office——Representative to United States Congress —Member of the Constitutional Convention, 1866—Death and Burial in Austin.

Mr. Smyth was a type of the most lustrous pioneers of the Texas Republic. Coming to Texas in 1828, he was familiar with all the problems with which the colonist had to deal in their efforts to establish civilization in the then Mexican State of Texas. Because of his indomitable energy and aggressiveness he was soon recognized as a most useful member of the colonies. He had fellowship with adversity as did all those patriots who came to Texas at an early date; but his vigorous manhood and steadfastness of mind enabled him to overcome obstacles which to others, less determined, were insuperable. He early took a lively interest in the difficulties which bore heavily on the colonists, and gave unswerving support to them in their protests against the wrongs committed against them by the Mexican government. And when the colonists were driven to revolt he did much to arouse resistance against Mexican tyranny. He possessed a vision of the future that few possessed. He saw spread out before him a mighty empire—a land of many possibilities, that needed only the touch of industry to make it the brightest star in the constellation of nations.

Mr. Smyth was born in North Carolina, May 16, 1803. When he was eight years of age his father moved with his family to the Territory of Alabama and settled in the section now known as Lawrence County. After remaining here a few years he moved to Tennessee. Here George Washington Smyth was reared and educated, received his academic education in a school of high learning, at Murfreesboro, that state. He began his career as a

surveyor. He made splendid progress in his work, but possessed the spirit of adventure and learning of the outlook for one of his profession in Texas, in the late summer of 1828, he made Texas his home. He settled in what was then known as the municipality of Bevil, later know as Jasper. A short time after locating in the state he was appointed by the governor of Coahuila and Texas, surveyor for the municipality of Bevil. After having made surveys of all the lands acquired by the settlers in his district, he was appointed "Commissioner of Titles." Under the Mexican law it was the duty of the "Commissioner of Titles" to issue titles to land to the colonists entitled to the same. The records of the General Land office at Austin show that he issued many titles to colonists for lands in eastern Texas. In the meantime he acquired title to a large tract of land in the territory now known as Jasper, which he improved and developed. A short time after coming to Texas he married Miss Frances M. Grigsby, whose father was a recent settler in Texas, from Kentucky. He lived in the district now known as Port Neches.

Mr. Smyth was a man of influence in his community and a leader in the cause of the colonists. When a convention was called to meet at Old Washington, March 1, 1836, his neighbors elected him a delegate. He attended the convention and was a conspicuous figure in its deliberations. He favored immediate separation from Mexico and was an enthusiastic supporter of the Declaration of Independence and became one of its signers.

Instead of returning to his home after the adjournment of the convention, he gathered together a group of sixteen men and marched to join General Houston's army. But failing to locate it promptly, he and his company failed to reach the army in time to take part in the battle of San Jacinto. They reached the battlefield on the afternoon of April 23rd.

In 1839, Mr. Smyth was appointed by President Lamar, one of the Commissioners to establish the boundary line between the Republic of Texas and the United States.

In 1848, he was elected Commissioner of the General Land Office. He served but one term, and in 1852, he was elected a

member of the Thirty-third United States Congress, and served from March 4, 1853, to March 3, 1855. He declined re-election, but in 1856 became a candidate for Comptroller. He was defeated by a small majority by Hon. Clem R. Johns, of Hays County.

When the question of secession was submitted to a popular vote, Mr. Smyth voted against the state withdrawing from the Union. When secession was accomplished, and the war between the States broke out as a result, he supported the Confederate States and sent his son George W. Smyth Jr., to the Southern army. The son joined Ross' Texas Brigade and served gallantly from 1862 to its close in 1865.

His last public service was that of delegate to the Constitutional Convention in 1866. While attending that convention, February 21, 1866, he died at Austin. He was buried in the State Cemetery at Austin. A monument was erected over his remains by his son's wife, Mrs. George W. Smyth, Jr.

Since writing this too brief sketch of George W. Smyth, I have received through the kindness of C. E. Walden of Beaumont, a most beautiful tribute to his memory. This sketch was written by Mrs. Lipscomb Norvell, and appeared in the *Texas Magazine* of February, 1912. Mrs. Norvell's sketch is written in a charming style and contains so much regarding Mr. Smyth's career, family, etc., that I am reproducing a large part of it as follows:

"George W. Smyth was born in North Carolina, May 16, 1803, and when a boy, with his father's family, left their North Carolina home, as so many of his neighbors and friends had done, to make their home in North Alabama. Later he 'found' himself at Murfreesboro, Tennessee, the influence of the college at that place developing powers and tastes not previously discovered. During that period he rendered himself familiar with classical languages and learning, with general history, mathematics and exact sciences. He acquired a competent knowledge of both common and the statute law.

"When his education was gained he returned to his father and entered on the cares of his farm. His talent for observation which had led him to accurate knowledge of the plants and animals of his own country, would have distinguished him as a farmer; but with the glowing accounts of the state's resources that lay undeveloped, it was but natural that he should

yield up the home of his childhood when the colonizer of Texas, Stephen F. Austin, was offering bounty gifts to the hardy and vigorous pioneers who formed the several states.

"From this section of Alabama came George W. Smyth, bringing his surveying instruments. It was not long before he had gained the thoughtful attention of the people, and what he did was not by chance, as his correspondence with his father indicates, but that he became possessed of qualities which were inherent in his character to do the things which made his name and fame.

"With the absorbing passion for 'Whatsoever things win' he faced the facts which made the early period of Texas notable, a period of ethical change and confusion, and as one event vanished and another appeared, he was drawn within the circle of his interests, giving intelligent and efficient service wherever devoted patriotism was required.

"Soon after his arrival in Texas, he met and wooed Miss Frances M. Grigsby, universally known and admired in the Grigsby Districts, now Port Neches, Texas, and the daughter of Joseph Grigsby a prominent surveyor and patriot of that locality. As the nearest mission was at Nacogdoches, they traveled to that place by horseback, a distance of seventy-five miles, and were married by the father in charge.

"Afterward he built a home on his headright at Bevilport, now Jasper, Texas, and the attractive bride became the uncrowned queen of the home, around which the husband entwined the noblest affection of his heart. There were born of the union seven children: Mrs. Sarah Armstrong, wife of J. M. Armstrong; Mrs. Matilda Armstrong, wife of R. C. Armstrong; Mrs. Susan Adams, wife of S. S. Adams; Mrs. Emily Smith, wife of W. H. Smith; Miss Frances M. Smyth, who passed away during her early young ladyhood; George W. Smyth and Joseph Grigsby Smyth.

"The first act of a public nature of George W. Smyth was his appointment by the Mexican government as surveyor, and it was doubtless this appointment, and his peculiar fitness for its duties, that won from the same authority the post of commander to titles, with power to issue titles to colonists that came to Mexico, who were entitled to land grants. He was noted for the accuracy of his surveys and the faithfulness of his work, and as his work made him acquainted with the best lands, he thus accumulated a handsome estate.

"This position no doubt gave him a taste for the life of a statesman he was afterwards to lead. He held the position several years.

"As the Americans came and the number of towns increased, the colonists' interest in the Mexican government began to have as abstract existence, and the customary life was not in keeping with the spirit of the people. Matters were drawn to a crisis, a definite principal was adopted,

proposing a formal declaration of independence, the form of which was the embodiment of a civilized and free state, and to these efforts George W. Smyth lent his influence.

"The municipality of Bevil elected him a delegate to the convention that declared Texas an independent republic, and he was one of the signers of the Declaration of Independence that established a sovereignty that was recognized by the United States, England, France and Belgium.

"On returning home he received intelligence that the Mexican forces were marching towards San Jacinto, and knowing that his services were needed in resisting the uprising, was on his way to join the Texas army, and Houston, and was near the scene of action when the battle of San Jacinto, the Yorktown of the Texas war for independence, was fought.

"In 1840, he was appointed by President Lamar as the Texas Commissioner in charge of the boundary line between the Republic of Texas and the United States. It was most important that a man of sound judgment and recognized discretion be trusted with the undertaking, as Texas had so recently entered business for itself, that it was striving to avoid external complications until it should realize a firm place in the hearts and confidence of the American people.

"By this survey there was saved to the State of Texas a strip of land about six miles wide and one hundred and three miles long, the United States having already had the land surveyed and sectionalized. The following are copies of the commissions from President Lamar, to George W. Smyth, asking him to accept the position of surveyor and commissioner:

Executive Department,

Houston, 13th May, 1839.

George W. Smyth, Esqur.

Dear Sir:

Although I have not had the pleasure of a personal acquaintance with you, I have thought proper to tender to you the office of surveyor to accompany the commissioner on the part of Texas, in running the dividing line between this country and that of the United States of America.

I invite you to this duty from no solicitation either of yourself or your friends, but am induced to do so from your long experience and acknowledged qualification as a mathematician, as well as your general character for probity as a man and fidelity as an officer. The commissioner himself I have not yet appointed, but shall do it in a very few days; in the meantime, I shall be happy to receive a notification of your acceptance of the situation which I take the liberty of thus offering you. This government has been apprized that the commissioner on the part of the United States is appointed, and will meet the Texas commissioner in New Orleans at any appointed moment.

The situation of our fronteirs require that no time should be lost in running said line, and if you should think proper to accept the situation, your services will be required as soon as the necessary agreements can be made between the parties.

With due regard, Respectfully,

Your Obt. Friend and Svt.,

(Signed) MIRABEAU B. LAMAR.

Department of State,
Austin, 7th May, 1840.

Sir:

Since my letter to you of the first of the month, I have been instructed by the President to inform you that General Hunt has been superseded, and that you will act under the commission forwarded of that date.

The selection of some competent person to succeed you as a surveyor is left entirely to your own judgment and discretion, and you are authorized to make such appointment. If you should not be able to procure one conveniently, and you feel willing and able to encounter the fatigue, you may perform the work yourself, rather than be delayed, but it is by no means the wish of the President to impose that labor on you.

General Hunt has been instructed to turn over all papers, instructions and property belonging to the government to you. I shall be pleased to hear from you, as soon as you have agreed on the starting point for running the line.

I am, sir,

Very respectfully,

Your Obt. Servant,

ABNER S. LIPSCOMB,

Secretary of State.

To George W. Smyth, Esqur.

"Later, at the city of Austin, the seventeenth of November, 1840, he was advised officially by President Lamar, by advice of the Senate, that he was appointed commissioner to run the boundary between the government of Texas and the United States of America.

"When his work was over he returned to his farm and the comforts of his family.

"The people, now knowing his value as a public citizen, and his policy in negotiating the boundaries of the State, elected him Commissioner of the General Land Office of the State in 1848, he being the second man to hold that position.

"During his incumbency the war with Mexico took place. All that he did in connection with this very trying event he did as the cautious and responsible agent of his State. He held the position several years.

"When the Mexican war ended by the treaty of Guadalupe Hidalgo, February 2, 1848, the result was the acquisition of much land to the United States, which was reflected in the widening of diplomatic questions.

"The State of Texas was feeling its way toward a safe adjustment of internal organization, and when the first congressional district of Texas was created in 1852—which then included all of the counties now known as East Texas—he was the choice of the people of the first congressional district to represent them in the National Congress. He had learned of Thomas Jefferson, "the leader of popular rights," and was thoroughly convinced that "the ideal form of government" was the proper thing.

"He served two years in Congress and was on a number of important committees. He declined re-election in 1856, when he made the race for Comptroller of the State of Texas, and was defeated by a small majority. His defeat was the result of his determined and outspoken opposition to any further laws in Texas authorizing the importation of native Africans from Africa and the disposition of them as slaves.

"When the question of secession was agitated in Texas, and the people began to prepare with increased exertion for the emergency, he was in favor of the Union cause, and eloquently expressed broad and liberal views to prevent the secession of the State. He believed the place to get our rights was in the Union, but after the State withdrew he considered his allegiance to her greater than to the United States, and accepting the situation in which he found himself, joined his people with his eyes open, though he did not fully accept their arguments.

"He considered it his duty to advise his sons and son-in-law to join the Confederate Army, and willingly they fought to sustain the seceders. As the events of war now moved on at a rapid rate, and the news of Lee's surrender came, the people began to feel that something should be done for the better preservation of order, and in preparation for getting back into the Union.

"A convention was called to meet in Austin to amend the constitution of the State of Texas so as to conform to the requirements of the constitution of the United States. George W. Smyth advocated the adoption of the United States constitution by the State of Texas, and as he typified their best interests, he was one of the prominent delegates elected who sat in the convention to formulate a state constitution.

"Notwithstanding the fact that when the question of "for" or "against" the Union had been submitted to the people before the war, there was not in the town of Jasper, Texas, a printed ticket to be had that read "for the Union" and he had to write his own ballot. He was elected

over his opponent, a very popular war hero, by a majority of more than three to one.

"When the time arrived to go to Austin he arose from a sick bed against the advice of his physician and family, with the statement that the people had elected him and he felt it one of the greatest public duties of his life to go and represent them.

"He died during the early part of the convention—February 21, 1866—in the sixty-fourth year of his life, leaving a name which will neither be forgotten nor cease to be respected.

"It has been said of him: 'He was a most excellent man, and none was ever more beloved and respected by his friends, and while a man of austere principles, and a personality that set him at any time against the stream, of few words, but of pleasant affability when ripened into acquaintance. He was conspicuous for his unconventionality and readiness to depart from the established traditions, if necessary, for the free growth and expression of his individuality.

"He was always thorough in his research work, and accurate and orderly with his written accounts with his fellow man. In later years this characteristic, the outcome of natural tendencies, was deliberately adopted.

"His purpose was to keep a complete record of his service to the people, which he did, written with his own hand. Copies of all correspondence relating to the affairs of the State of Texas were filed away in order and are preserved by the family. In them are to be found the most attractive qualities of the mind. In the discussion of the various subjects, his intelligence and power to perform with certainty what he undertook, were individual and are distinguished by a clear insight into the practical situation.

"It follows that he pushed his inquiries far beyond the profession to which he was bred. or that reading which belongs directly to the statesman. He drank deeply at the ancient fountains, as I am told, at his home in Bevilport, his library filled his immense office, containing such classical works as the orations of Demosthenes, Shakespeare, Milton, Dryden and Pope, and these were never sacrificed to the calls of business or country.

"There has always existed among all people, and in all ages, a special admiration for the man whose integrity of mind and heart have worked good for his people, and the Texas people form no exception to this universal rule.

"It is but just and proper, then, that George W. Smyth, should be remembered by a posterity which has reaped untold blessings from his patriotic efforts. There has been erected a monument to his memory in the State Cemetery in Austin, where he was buried. On the walls of the State Capitol there has been hung a life-size oil painting of him, in the preserva-

tion of whose fame every Texas citizen should take a just pride, that his example may be emulated by future generations.''

Regarding the children of George W. Smyth, Mr. C. E. Walden of Beaumont, has kindly supplied me the following information: Sarah married J. M. Armstrong. She died at Irene, Hill County, in 1879, leaving nine children. Some of them are still living in Hill County, among whom are John A. Armstrong and Mrs. Fannie Kyle, who live at Irene. Matilda married R. C. Armstrong, and died in Fort Worth in December, 1920. She left a husband and five children. Susan married S. S. Adams, she died in Jasper County in 1859. Her husband died soon afterwards. They left no children. Emily married Hansford Smith. She died in Jasper County, in 1890. She left five children as follows: Miss Fannie Smith and Dr. Jasper Smith who live in Beaumont. Bruce and William Smith, who live at Cline and George W. Smith living at Taylor. Miss Frances Smyth died at the home of her father in Jesper County in 1864. George W. Smyth, Jr., died in Beaumont, March 4, 1910. He left a wife and three children, J. B. Smyth, Mrs. R. F. Cheerman and Mrs. C. E. Walden. All are living in Beaumont. The oldest daughter, Frances M. married Frank Alvey and died in Beaumont in 1898. J. G. Smyth, died in Uvalde, July, 1917, leaving a wife and seven children, all living in Uvalde.

WILLIAM D. LACY

Signer of the Texas Declaration of Independence

Early Life in Kentucky—Joined Military Company—Comes to Texas in 1827—Member of the Convention of 1832—Delegate to the Convention at Old Washington, March 1, 1836—Buys a Tannery at Columbus—Health Fails—Returns to Kentucky—Death.

William D. Lacy was about twenty years of age when he came to Texas, but his experience in Kentucky, where he resided many years before coming to Texas, fitted him for the exacting duties which devolved upon him. He possessed the spirit of adventure and his coming to Texas was prompted by that spirit.

Mr. Lacy was born in Virginia, of English parentage, in 1808. When a child his parents moved to Kentucky where he grew to a stalwart manhood. He was educated in the best schools of that section and early imbibed the spirit of adventure. When eighteen years of age he joined a military expedition organized to quell the Indian disturbances. He participated in several severe skirmishes and his conduct was that of a brave and fearless soldier.

Captain Reuben Carroll, with whom Mr. Lacy served, left this record of him:

"Mr. Lacy was fearless and conducted himself in a manner highly creditable to one of his age. He had the appearance and bearing of one much older, but his childlike simplicity betrayed the youth. He was a most agreeable companion in the camp and on the march and was a general favorite. He was so simple in his manner that he was given the name of 'Babe'. It was rarely that he was referred to by his correct name. The name 'Babe' stuck to him as long as he remained in Kentucky."

Early in 1827, Mr. Lacy became interested in the new and undeveloped country beyond the Sabine—the Mexican State of Texas. While on a trip to Louisville, Kentucky, he came in contact with agents of one of the Texas colonies and heard for the first time the story of its vastness and richness, with its possibilities and opportunities. Returning to him home then in

Christian County, Kentucky, he began to arrange to settle in Texas. This he did in the fall of 1827. On coming to Texas he located in the territory now known as Colorado County. Soon after his permanent location he purchased a tan yard in the vicinity of Columbus. The business prospered and it required a number of laborers to conduct it. From this business Mr. Lacy accumulated a comfortable fortune. While thus engaged he married Miss Sallie McCrosky. This was in 1832.

Mr. Lacy was the descendant of a pioneer Virginia family—one of his relatives, John Fletcher Lacey, who was born in New Martinsville, Virginia—now West Virginia—became a distinguished member of the United States Congress from Iowa, where his parents moved when he was a boy. Another one of his kinsmen, Edward S. Lacey, was also a well known member of the United States Congress. He was born in the State of New York, but was carried to Virginia by his parents when a child. There he was reared and won fame.

William D. Lacy was ambitious and, feeling that Texas offered opportunities for gratifying his yearnings for success and honor, he concluded to make it his home. After reaching Texas, he spent a short time at San Felipe, but very soon located in the municipality of Alford in that portion now known as Colorado County. He had not been in the country long before his personality, ability and splendid character began to attract attention. Very soon the colonists became disturbed over the passage by the Mexican Congress of laws and decrees calculated to prevent the carrying out of their plans to settle the country with industrious citizens from the United States. The passage of these laws and decrees were in direct conflict with the Mexican Constitution of 1824. But the colonies were weak and realized their utter helplessness. When despair had almost taken possession of their hearts and hopes, a new rebellion broke out in Mexico. Its leader, Antonio Lopez de Santa Anna, espoused the cause of a Republican form of government and the restoration of the Constitution of 1824. The Texas colonists espoused the cause of Santa Anna and refused longer to submit to Busta-

mente's military despotism. The only method by which the Texans could inform the government of Mexico of their desires and ambitions was through conventions representative of all the people. Thus the convention of 1832 was called to memorialize that government and lay before it their grievances. The call for this convention was issued September 14, 1832; it fixed the date and place of meeting October 1, 1832 at San Felipe. Fifty-six delegates presented credentials and took their seats. Stephen F. Austin was elected President, and F. W. Johnson Secretary. Mr. Lacy was a member of this convention from the Municipality of Alford, having for his colleagues Samuel Bruff, David Wright, W. R. Hensley and Jesse Burnham.

It was Mr. Lacy's desire to quietly occupy his seat in this convention and follow the leadership of such towering intellects as Stephen F. Austin, W. H. Wharton, Nester Clay, Jared E. Groce, Charles S. Taylor, Patrick C. Jack and William Menefee. But this was impossible. He soon found himself an active participant in the proceedings and, according to William Menefee, he was one of the most useful members of that convention. He served on several important committees and became recognized as a prudent worker in behalf of the colonies.

Mr. Lacy declined to offer as a delegate either to the convention of 1833 or the Consultation of 1835, although he was urged to do so. However, when the convention was called to meet at Old Washington, March 1, 1836, he became a candidate for a seat in the convention and was elected a delegate. He was early on the ground and mingling with the delegates as they arrived he formed attachments that lasted throughout his life. Mr. Lacy was not a figure head at this convention. He was outspoken for a declaration setting out to the world the causes which forced the Texans to rebellion.

Mr. Lacy was a close personal friend of Mr. Childress who was appointed chairman of the committee to draft the Constitution. When the committee was announced he turned to Edwin Waller and said: "The appointment of George Childress chairman of that committee must have been the suggestion of inspira-

tion. He is the best qualified man of all of us to write our message to the world."

When the Declaration of Independence was read before the body, he favored its immediate ratification. When it was adopted he signed it in clear and legible hand, indicating a well balanced mind and a forceful character.

Mrs. S. J. Pybus, of Palacios, a daughter of Mr. William D. Lacy, has supplied me with valuable information regarding her father. She states that:

"When General Houston fell back east with his army, Mr. Lacy, took his family with other refugees to Harrisburg where he took passage to Galveston. He then returned to the Texas army and took part in the battle of San Jacinto. After the battle he rejoined his family and they went to Matagorda County. He then visited his old home at Columbus, finding but ruin and the last of his savings swept away. With new courage he moved his family to Tres Palacios river and went to work to rebuild that which he had lost. Here he and mother spent many happy days together and here one son and three daughters were born.

"Through the influence of his brother and bad health, father moved his family to Paducah, Kentucky, May, 1848. On October 14th of that year (1848) he died. In 1855 Richard, my only brother died, leaving the family name extinct."

By referring to our Texas histories it will be seen that William D. Lacy's name is spelled "Lacy." It will be noted by referring to the original copy of the Declaration of Independence that he spelled it "Lacey" as his Virginia and Kentucky relatives spelled it. The Texas family, however, leave off the "e" and spell it Lacy. We have adopted their spelling of the name.

LORENZO de ZAVALA

Signer of the Declaration of Independence and Vice-President of the Texas Republic

Early Life in Spain—Joined the Republican Party in Mexico—President of the Mexican Constitutional Convention, 1824—Governor of the State of Mexico—Minister to France under Santa Anna—Resigns and Comes to Texas—Member Consultation, 1835, and Convention at Old Washington, 1836—Elected Vice-President of the Republic—Drowns in Buffalo Bayou 1836

It is a pleasure to contemplate a life such as Lorenzo de Zavala lived, one free from the deadly malaria of dishonesty and corruption. When we take into consideration all the circumstances connected with his early training and environments we are forced to view him as a man of most extraordinary character and one whose memory we do ourselves honor to revere because of his great service to Texas during the darkest period of her struggles and his unyielding courage in defending the principles of justice and liberty.

Mr. de Zavala did not betray the Mexican people when he cast his lot with the struggling people of Texas. He was their true and loyal friend, but he bitterly opposed the designing and unscrupulous leaders who sought to rivet upon them the chains of tyranny. He was noble and chivalrous and possessed those elements of manhood which gave strength to his courage to condemn the treacherous designs of those in power who had been his friends and companions. So he chose to leave Mexico, as he had no common interest in a country where ignoble ambition plots and strives and dastardly meanness strikes and stains. He was not swayed by ambition but by the principles of patriotism and honor.

Mr. de Zavala was a scholar of rare literary attainments and wrote with great force and power. He was brilliant in conversation and learned in the arts of good manners.

David G. Burnet, describing a visit to Mr. de Zavala, said "I found him occupying two chairs. He sat in one and his books

were spread out before him on the other. As I greeted him he pointed to some maps near by on which he had traced the routes an invading army from across the Rio Grande was likely to take. He displayed a wonderful knowledge of a country over which he had never passed. But he had gathered a great collection of facts regarding the topography and resources of the State, which he had arranged in a most readable form. I was greatly impressed by his learning."

Mr. William Menefee, one of the delegates to the Washington convention of March 1, 1836, referred to Mr. de Zavala in a complimentary way when he said: "of the several Mexican delegates to this convention, Mr. de Zavala was a particularly conspicuous figure. He had a commanding appearance and was most polished and cordial in manner. The other Mexican delegates seemed to rely upon him more than any one else for guidance. He appeared personally interested in each delegate he met, and he met them all and formed attachments for some which was manifested throughout the meeting. He was seen more frequently with Robert Potter and William Mottley than any of the other delegates except Mr. Navarro, who was constantly by his side. He was very soon recognized as a man of zeal and good breeding. He was cultured and refined, a diplomat and a statesman of the loftiest patriotism. He was often consulted by the leaders of the convention who spoke in praise of his courage and superior judgment."

Others who knew and understood Mr. de Zavala spoke of him in terms of equal praise.

No more fitting tribute could be paid any man than that paid Mr. de Zavala by Vice-President M. B. Lamar in his inaugural address as Vice-president of the Republic. Of him Mr. Lamar said: "Through the period of a long life the ex-Vice-president, Governor Lorenzo de Zavala, has been the unswerving and consistent friend of liberal principles and free government. Among the first movers of the Revolution in his native country, he has never departed from the pure and sound principles upon which it was originally founded. This study and unyielding devotion

to the holy cause of liberty has been simply rewarded by the high confidence of the virtuous portion of two republics. The gentlemen, the scholar, the patriot, he goes into retirement with the undivided affections of his fellow citizens; and I know gentlemen, that I only express your own feelings when I say that it is the wish of every member of this assembly that the evening of his days may be as tranquil and happy as the meridian of his life has been useful and honorable."

Ex-Governor F. R. Lubbock in his memoirs says these kind words of Mr. de Zavala: "He had political and literary taste and if he wished to say a thing he could do it admirably well * * * * . I regret that I had not the opportunity of knowing this great and good man. Subsequently I became acquainted with and frequently visited his elegant family at their old homestead."

A San Antonio author, in a sketch of Mr. de Zavala, pays him this high and deserved compliment; "He was too noble to be suspicious, too brave to be envious, too magnanimous to be jealous. His name is indelibly stamped on the pages of Texas history as the gentleman and the patriot, but pre-eminently the philanthropist and the scholar." This same writer says, "Governor O. M. Roberts referred to Mr. de Zavala as the greatest constructive statesman of his age and as the one figure in Texas history over whom a halo is cast. In personal attainments he had no equal in Texas. He read, wrote and spoke fluently, French, English, German, Italian, Spanish, Portuguese, Greek and Latin and other languages. His research work attracted wide attention and among many honors accorded him, he was made a member of the Geographical and Scientific Society of France, an honor of distinction even of the present day comparable with that of an election to the French Academy."

Mr. de Zavala was born in Spain, October 3, 1788. When he was but an infant his parents moved to Merida, Yucatan. He was sent back to Spain to be educated and there he received a liberal education. When he completed his education he returned to Merida and in 1812 he was elected Secretary of the Merida

City Council. After serving in this position two years, he resigned as he had openly espoused the cause of the Republicans of Mexico. For this he was thrown into prison and confined in the Castle of San Juan de Ulloa until 1817. On his release he returned to Merida and began the practice of medicine. In 1820 he was elected a deputy to the Cortes of Spain. In 1822 he returned to Merida and was elected a deputy to the Congress of Mexico. He served in this body 1823-1824. When the Constitutional Convention was called in 1824 to frame a Constitution for the Republic of Mexico, he was elected a member of that body and was elected its presiding officer. When the Constitution was framed he was the first signer of the First Constitution of the Republic of Mexico. He was a member of the first Senate of the First Congress under the Constitution, 1825-1826. In 1827 he was elected Governor of the State of Mexico. In 1829 he was appointed Minister of Finance of the Republic. He did not resign as Governor of the State of Mexico to accept this last post, as by special act of Congress he was permitted to hold both offices.

When Bustamente came into power as the Supreme Ruler of Mexico in 1830, Mr. de Zavala fled from Mexico. He was a close personal friend of Santa Anna's and after Bustamente's downfall in 1833 he returned to Mexico and witnessed the inauguration of his friend and co-worker, Santa Anna, as President of Mexico. He was that year elected Governor of the State of Mexico and a member of the Senate of the Federal Congress. By a vote of Congress, he was permitted to hold both offices at the same time.

In 1834 Santa Anna offered Mr. de Zavala the post of Minister to France and urged him to accept it. But Mr. de Zavala hesitated as he felt that the appointment was made solely for the purpose of getting him out of the country, and once out he would not be allowed to return. His wife, however, urged him to accept the appointment, knowing as she afterwards stated, that refusal meant death at the hands of pretended friends.

Santa Anna had made up his mind to overthrow the Consti-

tutional Government of Mexico and declare himself Dictator. He knew that Mr. de Zavala would oppose him in this and adopted the plan of appointing him to a foreign post, that the most powerful defender of the Constitution and Republic may be silenced.

Mr. de Zavala finally accepted the position as Minister to France and took his departure. He did not do this, however, until he had arranged his affairs so that it would not be necessary for him to return to Mexico in the event that Santa Anna carried out his designs. He did not remain long in France before he resigned, as he was bitterly opposed to the policies adopted by Santa Anna. His letter of resignation, written at Paris, August 30, 1834, was a scathing rebuke to Santa Anna for his desertion of the liberal principles which he had espoused and which had brought success to his political ambitions.

This letter is one of the severest denunciations of Santa Anna ever penned and demonstrates the lofty principles of justice and liberty which dominated De Zavala's whole career. His letter is as follows:

Paris, August 30, 1834.

His Excellency, Don Antonio Lopez de Santa Anna,

"Sir General:—Never did I believe that the time would come when I should write you a letter which would have as its object the opposition, in the name of liberty, civilization and its own glory; of the resolutions which emanate from your Government, whose purpose it is to destroy the first; to oppose the progress of the second; and to stain the third, at the same time taking from the country the honor of naming you one more son among its distingushed patriots. But alas, the last events which have brought to you men without honor, genius, or conscience, cannot be indifferent to a man who saw in you a point of support for liberty and stability, or perhaps for the solid establishment of social institutions capable of establishing the fortune of our unfortunate nation. It has not been thus because of your misfortune, that of the nation, and of all. You, my General, have destroyed the conditions of your political existence. You have opposed the progress of a glorious and philosophic revolution; you have fallen in with some monstrous contradictions and have placed yourself in a disastrous position, leaving the brilliance and stability which were formerly yours. I say that you have destroyed the conditions of your political existence. First: because naturally, if you are President, it is only by virtue of the Constitu-

tion and the form in which it organizes the functions of government. Second: If you were elevated to the Presidency, it was by the vote and strength of a party which you formerly called natonal. Well, now you have torn the Constitution to pieces by not permitting the Cabinet, one of the constituent bodies of the Government, to assemble. The sophistries of your counsellors can not correct this great error, the result of which will be extremely lamentable. You have destroyed the Constitution by permitting contemptible mobs to dissolve the government of some of the states, just as was done in the time of General Bustamente against whom you made war for these same reasons. You have ruined the conditions of your political existence, abandoning, vilifying and persecuting the same persons who accompanied you in your triumphs, who elected you as leader, who elevated you to power; meanwhile, you place yourself in the hands of those individuals against whom you made war; who cursed you, who discredited you, and who would have shot you if they had captured you. Do you believe, my General, that these men will confide in you? And that you can confide in them? I do not speak of those contemptible montebanks who change their opinion as they do their clothes. Those do not merit attention more than to despise them and to pity those who confide in them; but I do speak of those people interested in sustaining the interests and privileges incompatible with the order of things adopted, and determined in desiring to make stationary the customs, beliefs, and prejudices of the time of Galvez and Branciforti. What has made you victorious from 1821 until April, 1834? The liberal principles, the cause which you have defended. If you turn your back on them, you will say as did Napoleon: "The liberal ideas, not the Holy Alliance, have conquered me." Nor for a similiar conduct would the accusation made by you of the errors and disorders of the *populace* be an excuse. Is it that you ignored the fact that the popular party was unquiet and turbulent, and that it would be difficult to direct it? Have you not been among both, and had sufficient time to measure their movement, know their faults, study their tendencies? Undoubtedly you have, and I myself have heard you say several times that you preferred those which the *rabble* calls the aristocratic party to those who are called *honest men.* In this day you cannot continue in the false position in which you have placed yourself. Without a Congress, without a Cabinet, in open conflict with the states, and sustained only by material force and a small number of *aristocratic pretenders,* it is necessary that you follow an extraordinary course, that your resolutions be extraordinary, and that all your measures be out of the usual order of things—a difficult situation, thorny and full of danger. How shall you get out of it? An appeal to the public made in good faith, the calling of a numerous assembly, truly called national, surrounded by novel prestige, by the respect which they attract by the lights, services, the wealth, the virtue, the firm merit. Call the different contending parties to-

gether by means of their representatives, and discuss rationally in the hall that which is today the object of the war measures in the field. Show them your position far from Mexico, far from all fear of arms, or the pernicious influence of military or ecclesiastical power; power of exclusion, of privilege, and consequently based on brutal force, or on deceit and ignorance.

In my opinion, the Constitution of the year 1824 has lost all its force. In its principles it was purely factitious; force of illusion. It was supported by pretext of revolutions, and finally it was condemned with them. The nation needs reconstruction. But there are certain bases upon which it is necessary to build a new social body. One of these is derived from the position of our territory; this is the form of union. The others are common to all countries which have a representative government, and they are liberty of the press, right of trial by jury, individual liberty, the division of power and the exchequer, and the more or less ample declarations of individual and social rights.

You, my General, and Don Carlos, the Pretender of Spain, are the only ones who today beg support for the Church. Ferdinand the Seventh and Don Miguel of Portugal did the same thing when they guillotined their fellow citizens. Are you, perchance, a representative of the Pope, or do you hold a commission from Heaven? Not at all. You are head of a newborn republic which is called to fill a distinguished place in the world, which place is reached by a road entirely opposed to the one which you have lately taken. Don Pedro, in his discourse at the opening of the Cortes of Portugal, gives an account of having suppressed all the religious communities of both sexes, because, "under the religious aspect, these establishments have turned away completely from the early spirit of their institutions, allowing themselves to rule almost exclusively because of their love of the temporal and material interests which they had vowed to reject; under the political aspect, it should be considered how groups of individuals who had abjured all national spirit, indifferent to the good or bad fortune of their fellow citizens, are always quick to serve with any despotic or tyrannical government in the hope that they will receive favor or consideration from them. On the other hand, its influences on the families and individuals is so much more religious that it is exercised in secret, and it should be attributed, in large part, to the evils which have lately desolated Portugal.

I repeat, that while Don Pedro thunders from the throne in this manner, in the name of philosophy, you, Republican Chief, are called the Protector of Monarchism and Superstition?—Long live God. Verily this is an insult to the public reasoning of the Mexicans and to the national conscience.

I conclude this letter, already long enough, by stating that I officially

transmit the resignation of my charge, not as Mr. Basadre, for shameful failure, but as an honorable citizen, who cannot deceive any one much less his constituents.

I repeat, I am your true and humble servant,

LORENZO DE ZAVALA.''

Soon after writing this letter Mr. de Zavala left Paris and went to Spain where he remained until June, 1835, when he came to Texas, landing at Velasco, June, 1835, and settled on a beautiful eminence overlooking San Jacinto River and Bay. Very soon after his arrival in Texas he communicated with the leaders of the Texas revolutionary movement and urged determined resistance to Santa Anna. When Santa Anna learned that Mr. de Zavala had espoused the cause of the Texans, he became greatly incensed and began plotting to have him arrested and carried back to Mexico. When General Cos started to Texas he was given instructions to secure his arrest at all hazards. When Cos reached Matamoras he addressed a communication to General Ugartechea, the Commander of Coahuila and Texas, to secure Mr. de Zavala's arrest. This order read as follows:

''Matamoras, August 8, 1835.

To the Political Commander of Coahuila and Mexico:

The Commanding General has already asked of the Political Chief of the Brazos to remit to this city, Senor Don Lorenzo de Zavala; for the arrest you will be guided by the orders of the Supreme Government and if not attended to as required you will march immediately to the risk of all your cavalry to complete the intended object, taking care at the same time to give the necessary notice to all authorities of the Colony informing them that the military forces has no other object than the arrest of the aforesaid Zavala.''

Ugartechea accordingly sent Captain Tenario to the Brazos to secure Zavala. He presented the order to Wylie Martin, acting Political Chief of Brazoria, but Mr. Martin declined to obey the order. Later, September 3, 1835, an order was issued for the arrest of R. M. Williamson, W. B. Travis, Samuel M. Williams, Moseley Baker, F. W. Johnson, John H. Moore; a later order came to arrest J. M. Canavohad and Juna Zanbrano, two Mexican citizens of San Antonio. There the two latter were seized and sent prisoners to Mexico but no officer could be found who

would attempt to arrest Mr. de Zavala and the other Americans.

Mr. de Zavala was elected from the Municipality of Harrisburg, as a delegate to the Consultation at San Felipe in 1835 and also to the convention which met at Old Washington, March 1, 1836, and was a signer of the Declaration of Independence passed by that convention.

At the organization of the Government *Ad Interim,* he was elected Vice-President. After the Battle of San Jacinto he had the pleasure of witnessing Santa Anna plead for his life and was a signer with him of the Treaty of Peace. When General Houston took the oath of office as the first President of the Texas Republic, he retired to his splendid estate near Lynchburg, where he died November 15, 1836.

In speaking of Mr. de Zavala's eminent services, Judge Z. T. Fulmore said, "Amid the rapidly changing scenes of this eminent man's eventful career, he gave forth many published addresses and letters in behalf of Republican principles and found time to write and publish several works. Among his published works is one entitled "Viego Historica de los Revoluciones de Mexico," in two volumes. Of this work Bancroft says, "Any impartial, unprejudicial critic will recognize in the author a learned publicist, historian, philosopher, economist and statesman." Another of his published works is "Viego a los Estados Unidas," of which Bancroft says, "It is a philosophic work, showing a deep study of manners and customs of the American people, and more particularly of their political institutions."

Henry S. Foote, the historian, said this of Mr. de Zavala's literary attainments: "His scholarly attainments will not fail of commanding the respect of all who have read his two spirited and elegant historical novels entitled "The Revolution of New Spain" in which he has given to the world a graphic and accurate narrative of all revolutionary transactions in Mexico from the year 1808 to the year 1830, and in a temperate, dignified and philosophic manner has explained all the conflicting influences which worked twenty-two years of almost continued internal convulsions."

Mr. de Zavala was author of the Constitution of 1824 and his name is the one signed first to that instrument as the President of the Congress adopting it.

Mr. de Zavala stood among the foremost of his country as a patriot and lover of justice and liberty. With an unblemished integrity he passed away in the prime of life, like a gentle cloud that had helped to beautify a needed world with its copious showers.

The immediate cause of Mr. de Zavala's death was the overturning of a canoe in which he was crossing Buffalo Bayou with his small son, Augustine de Zavala. He contracted a cold which developed into pneumonia, from which he died November 15, 1836. His remains were buried in full view of San Jacinto Battlefield "where Texas liberty was won."

Mrs. de Zavala was a woman of great beauty, cultured and polished and of noble impulses. After the battle of San Jacinto she offered her home as a hospital for the sick and wounded and ministered to them in their distress. She was referred to by the Court Journal of France (Paris) as being the most beautiful woman in Court Circles.

When Zavala County was created from Uvalde and Maverick Counties in 1858, it was named in honor of Lorenzo de Zavala, a signer of the Declaration of Independence and first Vice-President of the Texas Republic.

MARTIN PARMER

Signer of the Texas Declaration of Independence

Early Career in Virginia and Tennessee—Moved to Missouri and becomes Indian Agent—Influence over the Indians—Member of the Constitutional Convention of Missouri—Member of the First Legislature of Missouri—Came to Texas in 1825—Leader in the Fredonial Rebellion—Member of the Consultation of 1835—Member of the Legislative Council—Delegate to the Convention at Old Washington, March 1, 1836—Died in 1857.

Mr. Parmer was one of those bold and aggressive spirits who located in Texas very soon after Austin received his grant to settle colonists on lands granted him by the government of Mexico as an Empresario. Like a number of other early settlers in Texas he was an experienced Indian trader and after coming to Texas he continued that avocation among the Texas tribes, and his influence over them was marvelous.

Mr. Parmer was a man of great daring and possessed a spirit of adventure that carried him into many lands and subjected him to many most romantic experiences. His career before coming to Texas was that of a daring chivalrous nature which brought him into contact with many bewildering scenes.

Mr. Parmer was born in Virginia, June 4, 1778. Here he was reared and educated. At the age of twenty, tiring of the restrictions of strict discipline of most pious parents, he moved to Kentucky and entered into a business career. Here he married Miss Sarah Hardwick. She was of a good family, intelligent and refined. After living in Kentucky several years he was transferred to Tennessee, and became assistant manager of a lumber manufacturing company. This employment carried him into the river swamps, where he imbibed the spirit of the wild woods. He frequently stole away from business cares and spent a while with the laborers in the swamps, and cultivated a love for the chase. He was the father of several children, but the spirit of adventure had never deserted him. After spending several years in Tennessee, he moved to the new territory of

Missouri, and settled on the extreme frontier among the Sioux, Iowa and Osage Indians, with whom he began trading. He soon won their confidence and respect, although he led several encounters with the most savage tribes of that section. His relations with these Indians became known to the government at Washington, and he was appointed Indian Agent. As the country began to settle up frequent differences arose between the Indians and whites, and to curb the Indians and to protect the settlers, a military company was organized, and Mr. Parmer was appointed commander. He went among the Indians and called their chiefs into council. By this means he was able to exert a wholesome influence over them, and prevented wide disorders.

When in 1821, Missouri applied for admission as a State into the Union, Mr. Parmer was elected a member of the convention called to frame a constitution under which the state was to be admitted. After the state was admitted into he Union, August 10, 1821, he was elected a member of the First Legislature.

Mr. Palmer's record had preceded him and he became at once a leading figure in that body. Being a personal friend of Thomas H. Benton, he warmly espoused his candidacy for the United States Senate and it was largely through his influence that he was elected one of the first United States Senators from that state. Mr. Benton took his seat December 6, 1821, and served continuously in that body until March 3, 1857. It will be recalled that Mr. Benton was a great friend of Texas and he favored all measures calculated to advance the state's interest.

During this session of the Legislature Mr. Parmer became acquainted with Stephen F. Austin, who was also a member of this body. It was through Mr. Austin's influence that Mr. Parmer was induced to come to Texas.

In 1823, Mr. Parmer moved to Arkansas and settled on Red River near the present city of Texarkana. This location in Arkansas was by him considered only temporary and when he entered Texas he registered from Missouri. He came to Texas early in 1825 and located in the district of San Augustine. Soon

after reaching Texas, Mr. Parmer lost his wife by death. He was very much devoted to her and her death was a great blow to him. When trouble broke out at Nacogdoches between Hayden Edwards and the Mexican government, which resulted in the organization of what is known in history as the Fredonial Rebellion, Mr. Parmer joined in this revolt, and when Edwards and his associates organized an independent government known as the "Fredonian Republic", Mr. Parmer became its President. He is said to have fired the first gun in the brief war which followed the organization of the revolt. When the Fredonians were forced to flee, Mr. Parmer escaped and lived in hiding among his friends for several years.

The late W. P. Zuber, a well known Texas pioneer, and who married a grand-daughter of Mr. Parmer, has written a lengthy sketch of Mr. Parmer in which he recites many incidents of his life. He is somewhat confusing, however, about dates and other important facts regarding Texas' historical events of the early period. Many of his statements, however, may be accepted as true history.

Mr. Zuber tells us that Mr. Parmer went direct to Gonzales, after the abandonment of the Edward's revolt, where he remained for some time with his friends; and that when he received information that a general amnesty had been granted the revolters he started back to his home; and that enroute to his home he learned that the amnesty did not apply to the officers and instigators of the revolt; and that he made his way to the Sabine, crossed this stream and went to Mississippi. Mr. Zuber also tells us that while at Gonzales Mr. Parmer commanded a company organized to drive a band of Indians from the country, this band having raided several communities. The Indians were routed and driven from the country and Mr. Parmer led his victorious band back to Gonzales.

The first reliable information we have of Mr. Parmer after his retreat across the Sabine was his appearance in San Antonio with James Bowie in 1831.

It is known that Colonel Bean, located with a small Mexican force near Nacogdoches, knew of Mr. Parmer's whereabouts while hiding in the State, but he realized that any attempt to capture him would bring on a further breach. He therefore advised the Mexican government not to disturb him in his retirement. This course was approved by Colonel Ahumada, the commandant at San Antonio.

Regarding Mr. Parmer's appearance at San Antonio in 1831, Frank W. Johnson in his memoirs said: "Colonel Martin Parmer, a prominent actor in the Fredonian affair, who had left the country in consequence, returned and, as if to beard the lion in his den, in company with James Bowie visited San Antonio. Popular as was Bowie at that time with the Mexicans, he could not disabuse them of the jealousy and fear of Mr. Parmer. Parmer finding his situation unpleasant, if not dangerous, soon retired. An order was immediately directed to the Alcalde asking the arrest of Parmer. Accompanying this was a subaltern officer and file of men, who reported themselves to the Alcalde and held themselves subject to his order. Without unnecessary delay, yet sufficient to enable Parmer's friends to warn him of the unfriendly intention of the Mexican authorities, the necessary writ for the arrest of Parmer was placed in the hands of the deputy sheriff, Captain Francis Adams, friend and associate of Parmer. Accompanied by the officer and his squad of men, Adams proceeded to make diligent (?) search for Parmer, but the bird had flown, the search was unsuccessful, the party returned and reported, much disappointed, and the officer somewhat crestfallen. Thus, again, were the colonists relieved of another unpleasant affair."

Colonel Parmer did not desire to compromise his friends and after a secret conference with Bowie, Adams and a few others went in hiding until he could perfect arrangements to return to the Sabine River. Mr. Parmer accompanied by a faithful guide and two companions left San Antonio on the night following the search. His route, according to his own statements, was along the foothills until he reached the Colorado River, where the

Perdenalis empites into that stream. Here he rested a few days and secured additional pack animals, when he proceeded on his way to the Sabine. Mr. Parmer was so well known at Nacogdoches, and there were a number of Mexicans there who would have done him harm, that he passed out toward the Sabine about fifteen miles below that place to avoid coming in contact with the unfriendly population and the Mexican government at that place.

"Mr. Parmer," said Mr. Stewart, "gave an interesting account to his friends at Old Washington in 1836 of his escape from San Antonio. He was a wonderfully fascinating talker and his recital of this even greatly amused those who heard him. He was a man absolutely without fear and held the Mexicans in contempt."

The exact date of Mr. Parmer's return to Texas is not certainly known, but as we find him occupying a tract of land at Mound Prairie, on the Neches river in the territory now known as Cherokee County, in the winter of 1833-4 it is presumed that he returned as early as 1833. He seems to have moved to the municipality of Tenaha prior to the summer of 1835, as he was elected from that municipality a member of the Consultation which met at San Felipe in November of that year. He took a prominent part in this convention and was elected a member of the Legislative Council.

Mr. Parmer was also elected a member of the convention which met at Old Washington, March 1, 1836, and adopted the Declaration of Independence from Mexico. He was by no means a stranger in this convention as his record had made him a conspicuous figure in the state. The proceedings of the convention show that he was an active participant in its work. He was a member of the committee appointed to draft a constitution for the government being organized, and was a defender of its provisions when it was reported for adoption, by the convention.

When the committee headed by Mr. Childress reported the draft of the Declaration of Independence to the convention, Mr. Parmer expressed his approval of it; and when the convention

went into the committee of the whole to consider it, he agreed with Mr. Houston, that it should be adopted without further delay. Afer the instrument was enrolled be became one of its signers.

Having passed middle age, being fifty-eight years of age when the convention was held, Mr. Parmer retired from active participation in public aflairs, but gave his moral and financial support to the army, which sealed the destiny of the Republic he had helped to etablish, at San Jacinto.

Isom Parmer, a son of Martin Parmer, performed eminent service in the early struggles of the Texans. Besides serving under his father in the Fredonian army, he participated in the seige of San Antonio in 1835, being a member of Captain Bradley's Company. He also took part in an engagement with the Mexicans in what is known as the "Grass Fight." He accompanied his father to the convention at Old Washington and was elected Sergeant-at-Arms of the convention.

Mr. Zuber's memoirs of Martin Parmer, referred to before in this sketch, gives these incidents in the life of Isom Parmer. He says: "Before leaving home for Old Washington he purchased a very large, fine looking gray horse, for which he paid four hundred Mexican silver dollars, and rode him to Old Washington. * * * General Houston having been elected Commander-in-Chief of the army left Old Washington for Gonzales, March 6th. He was sorrily mounted and wanted a better horse, and proposed to purchasè Isom Parmer's fine gray, offering to pay him the price that he had paid for the horse—four hundred Mexican silver dollars. Parmer prided very much in his horse and wished to keep him, but to accommodate General Houston he accepted the offer, and his memory of this favor to Mr. Houston was always a pleasure to him. This was the horse that was killed under General Houston in the battle of San Jacinto.

"A few days later Judge Ellis, president of the convention, wished to send a dispatch by a safe messenger to San Augustine, and requested Isom Parmer to bear it. He promised to do so if he could purchase a suitable horse. He soon found one for

which he paid the identical four hundred dollars which he had received from General Houston. Then he resigned his position in the convention and bore the dispatch. He always remembered this service with pleasure. I learned these facts from Isom Parmer, himself."

From Mr. Zuber's memoirs it is learned that Martin Parmer married a second time, while residing at Mound Prairie, his wife being a Mrs. Leut. She died a year later, leaving an infant, Martin Parmer, Jr., who died in infancy. His third marriage was to Mrs. Margaret Neal. This marriage was solemnized by the Mexican Alcalde at Nacogdoches. She had one child, Matilda, who married Alfred Morris. Mrs. Parmer died while Matilda was a child. Several years after the loss of his third wife Mr. Parmer married his fourth wife. This time he married Zina Kelly. This last marriage greatly displeased his children. To this marriage four or five children were born.

After age had laid its heavy hand on Mr. Parmer he concluded to sell his home in Jasper County and move to Walker County, to be near his four sons, William, Thomas, Anthony and Isom, who resided there. To carry out his plans he visited Walker County to consult with his children about the proposed change of residence. They encouraged their father in his plans and, as a consequence, he purchased a valuable tract of land upon which to settle. While on this trip to Walker County the citizens of Huntsville gave him a reception in honor of the services he had rendered the state.

On returning to his home in Jasper County Mr. Parmer began preparation to move to his newly acquired home in Walker County, but before he had progressed very far he was stricken with sickness and died. This was in 1857. He had just passed his 80th year. His widow soon thereafter moved with her young children to the home Mr. Parmer had purchased in Walker County.

It appears from the records available that Mr. Parmer had ten children who had reached the age of maturity before his death. Their names were as follows: Charlotte, William, Martha,

Emily, Thomas, Nancy, Zerena, Anthony, Mary and Matilda. Charlotte married William Liles; Martha married William Driskell; Emily married Chichester Chaplin; Nancy married Daniel Moore; Zerena married —Landrum; Mary married Henry Black; Matilda married Alfred Morris.

Descendants of these children are among the most useful citizens of the state. No record is available of the children by Mr. Parmer's last marriage.

In discussing with the writer the general characteristics of the delegates to the convention at Old Washington, Col. Stephen W. Blount said: "Mr. Parmer was of a nervous temperament. He had a stubborn and determined will and showed impatience of delays. Many interesting stories were told of his prowess among the Indians. He was an interesting talker and was frequently seen in the midst of an admiring group, relating incidents of his adventures. He was a unique character but with all he was a man with the best of impulses—honest, brave and heroic."

Mr. Parmer had a most romantic career and his adventures have been recorded by some of our most brilliant writers of pioneer life in Texas. Joseph Walker, a romance writer of no mean ability visited Mr. Parmer about 1849 and secured from him an account of his career in Kentucky, Tennessee, Missouri and Texas. In 1851 he published a series of sketches entitled "*Life on the Frontier*" in which he gave the purported adventures of a number of famous characters, including David Crockett, James Bowie and Martin Parmer. Some of the incidents related in the lives of these men were true to history, but the majority of them was pure fiction. Some of our writers of history has accepted Mr. Walker's stories as literally true, thus confusing the mind of the student of early Texas history.

In private life as well as in public life, Mr. Parmer was a benefactor. His services to his neighbors and his government entitle his memory to our esteem and reverence.

When Parmer County was created in 1876, it was named in honor of Martin Parmer, a distinguished citizen of the Republic and signer of the Declaration of Independence.

SAM HOUSTON

Signer of the Declaration of Independence—Commander-in-Chief of the Texas Army—President of the Republic—Member of Congress of the Republic—Senator in the United States Congress—Governor of Texas

His Early Life—Joins the United States Army—Wounded at Battle of Horse-shoe—Studies Law—Elected Member of Congress and Governor of Tennessee—Came to Texas in 1833—Delegate to the Old Washington Convention—Appointed Commander-in-Chief of the Texas Army—Defeats Santa Anna at San Jacinto—Elected President of the Republic—Senator in the United States Congress—Governor of Texas—Death in 1863.

Sam Houston was one of the most remarkable men connected with the history of Texas. As a soldier, statesman, orator and patriot of the loftiest ideals, he stands out in Texas history incomparable. He possessed a prophetic political sagacity unequalled by any of his contemporaries. He was a bold advocate of what he believed to be right and never compromised with wrong for the sake of policy. Like all worthy men, however, Mr. Houston sought approval of his acts. That was a laudable ambition, but he never performed an act of cowardice to secure it. It was Xenophone who said "that the sweetest of all sounds is praise." It is true that where men have no ambition for the esteem and confidence of mankind, that individual is pursued by the hounds of ruin. The spring of pride is broken and decay in the faculties has set in.

Sam Houston was born near Lexington, Rockbridge County, Virginia, March 2, 1793. His ancestors were of Scotch origin. They came to America about 1689 and settled in Pennsylvania. Robert Houston, Sam Houston's grandfather, moved to Virginia and settled in Rockbridge County. Here he reared a family and here Sam Houston was born. After the death of his father, his mother moved to Blount County, Tennessee. He was but a lad of thirteen summers when his mother changed her residence from Virginia to the rugged State of Tennessee. Here he came

in contact with the Cherokee Indians, who lived near where his mother settled. He spent many leisure hours with them, joining them in their chase for game which was in abundance at that time.

In 1813 Mr. Houston enlisted in the United States army. The country was then at war with Great Britain. He was not in the army long before his peculiar talents for military life were recognized. He was soon promoted for gallantry in the battle with the Creek Indians. In a fierce conflict at To-ho-ne-ka, (Horse-shoe Bend of the Tallapoosa River), Alabama, he received a painful wound from an arrow from an Indian bow. General Jackson ordered him to the rear, but he disregarded the order and joined his regiment in the thickest of the battle. As the battle raged he received another wound which disabled him and from this he did not recover for many months, and did not rejoin his regiment until a short time before peace was declared. He then served for a short time in the Adjutant General's office at Nashville. In November, 1819, he was assigned to extra duty as sub-agent among the Cherokee Indians, to carry out a treaty just ratified with that nation. During the winter 1819-20 he conducted a delegation of Cherokee Indians to Washington to present their claims to the Federal Government.

Regarding Houston's military career in the United States army, a memorandum from the war department shows that, "Sam Houston entered the Seventh Infantry as a Sergeant; became ensign in the Thirty-ninth Infantry, July 29, 1813; was severely wound in the battle of Horse-shoe Bend under Major-General Jackson, March 27th; made Third Lieutenant December, 1813; promoted to Second Lieutenant May, 1814; retained May 15th in First Infantry; became First Lieutenant March 1, 1818; resigned May 17, 1818."

Soon after resigning from the army Mr. Houston entered the law office of Mr. James Trimble, an eminent lawyer at Nashville, for the purpose of studying law. He was soon admitted to the bar and at once became a successful advocate, locating in Lebanon. He was soon elected District Attorney. This made it

necessary for him to reside in Nashville. His resident in Lebanon was so pleasant that he left it with regrets. When about to move to Nashville he delivered a public address to the citizens of Lebanon in which he expressed regrets that it became necessary for him to leave them. In this address he said: "The time has come when I must bid you farewell. Although duty calls me away, yet I must confess it is with feelings of sincere regret that I leave you. I shall ever remember with emotions of gratitude the kindness which I have received at your hands. I came among you poor and a stranger and you extended the hand of welcome, and received me kindly. I was naked and ye clothed me—I was hungry and you fed me—I was athirst and ye gave me drink."

"Mr. Houston's address" said I. V. Drake, in a letter to his biographer, Dr. William Carey Crane, "was delivered in so pathetic a style that its effect was to cause many to shed tears."

In 1820 Mr. Houston was appointed Adjutant -General of the State, with the rank of Colonel. In 1821 he was elected Major-General by the field officers of the division that composed two-thirds of the State.

In 1822 he was elected a member of the Eighteenth United States Congress and was re-elected to the Nineteenth Congress, thus serving in that body from March 4th, 1823 to March 3rd, 1827. In the election of 1826 he was elected Governor of Tennessee, but resigned after a few months service and went to the Territory of Arkansas and sought his old friend, Chief Oelooteka, of the Cherokee Indians. He was welcomed by the old Chief and treated as a son,—a voluntary exile from civilization. Here he remained until December 1, 1832, when he set out for Texas, having been appointed by President Jackson on a secret mission among the Indian tribes of Texas. He crossed Red River early in 1833 and went direct to Nacogdoches. After a short rest at Nacogdoches, he continued his journey to San Antonio and San Felipe. On February 13, 1833, he forwarded from Nacogdoches a report of his journey in Texas to President Jackson. While in Nacogdoches the residents of that place urged him to become

a citizen of Texas, and to permit them to elect him a delegate to the convention which had been called to meet at San Felipe, April 1st. To this he consented and his appearance at San Felipe, as a delegate to this convention, was his introduction to the leaders of affairs in Texas. This convention drafted a constitution for the State of Texas separate from that of Coahuila.

Mr. Houston was appointed chairman of the committee which wrote the proposed constitution. From this time on Mr. Houston was a central figure in Texas affairs.

Mr. Houston made a tremendous impression on the delegates to this convention who saw in him an able ally and a leader of power, and many were the expressions of appreciation that he had cast his fortunes with the struggling colonists.

Mr. Houston continued to reside in Nacogdoches and in the fall of 1835 he was elected by the committee of Safety of Nacogdoches and San Augustine, Commander-in-Chief of the military forces of the municipalities of Nacogdoches and San Augustine, which embraced practically all of the state east of the Trinity river. The proclamation of the Committee of Safety of San Augustine announcing Mr. Houston's election was as follows:

Committee Room, San Augustine, Oct. 6, 1835.

Whereas, in the present emergency, organization and energy of action are necessary, and whereas we see the great necessity of a commander-in-chief of this department, for the purpose of issuing orders, raising troops, etc., and being well satisfied of the fitness, capacity and fidelity of General Samuel Houston for such a station: be it therefore

Resolved: that we, with the concurrence of the committee of safety for the municipality of Nacogdoches, do hereby appoint the said Samuel Houston, general and commander-in-chief of the forces of this department, vesting him with full powers to raise troops, organize the forces, and do all things appertaining to such office; and be it further

Resolved: that the powers of said commander continue in force till the General Consultation of Texas shall make further provisions; and be it further

Resolved: that the said Houston be required to issue proclamations, and call for recruits, and to do all things in his power to sustain the principles of the Constitution of 1824.

PHILIP SUBLETT, Chairman,
A. G. KELLOG, Secretary.

It will be noted that it was made the duty of the Commander-in-Chief to issue proclamations and to call for recruits and to "do all things in his power to sustain the principles of the Constitution of 1824," and that the powers of said Commander-in-Chief "continue in force until the General Consultation of Texas shall make further provisions."

On the second day following his appointment as Commander-in-Chief, October 8, 1835. Mr. Houston issued an order which read as follows:

Headquarters, Texas Department of Nacogdoches,
October 8, 1835.

The time has arrived when the revolutions in the interior of Mexico have resulted in the creation of a dictator and Texas is compelled to assume an attitude defensive of her rights, and the lives and property of her citizens.

"Our oaths and pledges to the constitution have been preserved inviolate. Our hopes of promised benefits have been deferred. Our constitutions have been declared at an end, while all that is sacred is menaced by arbitrary power! The priesthood and the army are to mete out the measure of our wretchedness. War is our only alternative! *War in defense of our rights must be our motto!*

"Volunteers are invited to our standard. Liberal bounties of land will be given to all who join our ranks with a good rifle and one hundred rounds of ammunition. The troops of the department will forthwith organize, under the direction of the Committee of Vigilance and Safety, with companies of fifty men each, who will elect their officers, and when organized they will report to the headquarters of the army, unless special orders are given for their destination.

"The morning of glory is dawning upon us. The work of liberty has begun. Our actions are to become a part of the history of mankind. Patriotic millions will sympathize in our struggles, while nations will admire our achievements. We must be united—subordinate to the laws and authorities which we avow, and freedom will not withhold the seal of her approbation. Rally round the standard of the constitution, entrench your rights with noble resolution, and defend them with heroic manliness. Let your valor proclaim to the world that liberty is your birthright. We cannot be conquered by all the arts of anarchy and despotism combined. In heaven and valorous hearts we repose our confidence.

"Our only ambition is the attainment of national liberty—the freedom of religious opinion and just laws. To acquire these blessings, we solemnly pledge our person, our property and our lives.

"Union and courage can achieve everything, while reason combined with intelligence can regulate all things necessary to human happiness.

SAM HOUSTON,
General-in-Chief of Department."

This appeal to the patriotism of the men of eastern Texas was received by them with a solemnity that greatly touched their pride and ambitions and aroused them to action and soon the whole country was afire with military ardor. But events of tremendous gravity came fast upon the scene and changed the plans inaugurated at the instance of the Committees of Vigilance and Safety of Nacogdoches and San Augustine. A consultation of all the people of Texas had been called to meet at San Felipe in November and General Houston had been elected a delegate to this convention and those in authority in eastern Texas urged him to attend. He did so and became a conspicuous leader in its deliberations. When a proposition was submitted to at once proclaim Texas absolutely free of Mexico, he led the opposition to this plan. He expressed his unwillingness to so abruptly abandon the principles of the Constitution of 1924 and

1824

favored the organization of a government pledged to its principles. He did not feel that the time had arrived when the colonists could afford to renounce their former adherence to the Constitution of 1824. The proposition was defeated after an acrimonious debate and in its stead the Consultation established a Provisional Government and elected a Governor, a Lieutenant-Governor, a Legislative Council and Commander-in-Chief of the army. Henry Smith was chosen Governor, J. W. Robinson, Lieutenant-Governor; Sam Houston, Commander-in-Chief of the army. The Legislative Council was composed of one member from each municipality of the state.

This convention differed very materially from the conventions of 1832 and 1833, in that the delegates to this convention were in open rebellion against Santa Anna, upon whom the conventions of 1832 and 1833 had depended for redress against the despotic rule of Bustamente.

The provisional government began functioning immediately after the adjournment of the convention, November 14th. Governor Smith sent his first message to the Council November 15th.

Prior to the election of General Houston as Commander-in-Chief of the Texas armies, the army was under the command of General Edward Burleson, a most worthy and capable military leader. But a state of war existed and the members of the Consultation recognized in General Houston a military chieftain of superior military genius. General Burleson had shown his gallantry and loyalty in many conflicts with the enemy and was held in the highest esteem by the army and the people. But Houston's military record and account of his prowess had preceded him to Texas and all eyes turned to him as better equipped by training and experience to lead in the war which all felt sure would soon be waging in all its fury.

Early in 1836 military events transpired which greatly embarrassed Governor Smith and General Houston and threatened the life of the provisional government. The General Council had so conducted itself as to lose the confidence of Governor Smith and bring on an open breach between that body and the

executive. There were doubtless men in that body opposed to the military programme being worked out by the Commander-in-Chief of the army, and they adopted a programme which violated the mandates of the organic law and conflicted with the authority of the Commander-in-Chief. These men met as a Council from day to day, without a quorum, and authorized a military programme calculated to supersede General Houston. In this they were unsuccessful and disaster came to all their efforts, and the unfortunate destruction of many lives.

When Governor Smith learned that troops were being mobilized in Southwestern Texas for the purpose of attacking Matamoras, and of their refusal to obey orders emenating from the legal authorities of the government, he ordered General Houston to proceed to Refugio. He obeyed these instructions. He reached Goliad about the middle of January and made known to the troops there the object of his visit, and enjoined obedience to his authority. Colonel Grant was just on the eve of marching from Goliad to Refugio where a junction of the troops of Grant and Fannin were to be made. Grant and his troops refused obedience to the orders of Governor Smith, submitted to them by General Houston. General Houston could not understand this extraordinary conduct as he was ignorant of what the Council had done. But in the face of the conduct of Grant and his troops General Houston marched with him to Refugio. "Unable," says Crane, "to influence the leaders by regular authority or by friendly remonstrance and, unwilling to invite sedition among the troops, reluctant to bow to the command of any other officer, accompanied by a few of his staff, General Houston set out at night from Refugio to return to San Felipe." Before reaching San Felipe the alarming condition of the country was disclosed to him. Published letters of Colonel Fannin, indicating his disregard of the authority of Governor Smith and the Commander-in-Chief of the army met his eyes. He realized more fully than ever before that quick action was necessary to forestall the evil about to be done, or confusion would follow and all would be lost.

A convention had been called to meet at Old Washington, March 1st. The people of Refugio had elected him a delegate to this convention which trust he accepted. On reaching San Felipe, he filed with Governor Smith his offcial report of his visit to Refugio, and then in obedience to instructions from Governor Smith proceeded to the Cherokee Nation to form a treaty with them and other nations. The other Commissioners were John Cameron and Colonel Forbes. Major George Hockley accompanied General Houston to the Cherokee Nation and there Mr. Houston and Mr. Forbes met the indians in Council and accomplished the object of their mission. General Houston then returned to San Felipe and secured a furlough from the army to enable him to sit as a delegate in the convention which met at Old Washington March 1st. This convention adopted a Declaration of Independence from Mexico, March 2, and he was a signer of that instrument. A constitution was also adopted and birth given to the Republic of Texas.

On March 6th, a message was received from Colonel W. B. Travis, Commander of the forces at the Alamo, of the most thrilling character. It advised that the Alamo was being beseiged by Santa Anna's army of several thousand troops. The reading of this letter created great excitement among the delegates who had assembled in the convention hall to hear its contents. "After it was read," said one of the members of the convention, "painful silence prevailed for a brief period. Despair was pictured in the faces of the bravest and best. Just what to do was a question that puzzled us all. But that immediate action was imperative and plainly our duty, was the feeling of all. Finally, amidst momentary confusion delegate Robert Potter moved "that the convention do immediately adjourn and march to the relief of the Alamo." A deathlike stillness followed. Delegates seemed to be dazed. The silence was broken. Sam Houston rose from his seat. All eyes were fastened on his stately form. For a moment he stood like marble and casting his eyes over the assembled delegates, he addressed the chair in opposition to Mr. Potter's motion. It was a mo-

ment fraught with tremendous consequences. He told the convention that the fate of Texas hung on the acts of the convention; that it would be worse than madness for the convention to adjourn before completing its work; that a Declaration of Independence without an organization to sustain it would make it void. He urged the convention to quietly pursue its deliberations and complete its labors. Houston spoke with great eloquence and fervor and assured the convention that he would start for Gonzales where he would collect the little army there and go to the rescue of the defenders of the Alamo, guaranteeing them that no Mexican army would molest them while performing the labor expected of them by the people who sent them to Old Washington. At the close of his address Mr. Houston walked out of the convention. Tumultuous applause followed."

History tells us that in less than one hour Houston was on his way to Gonzales accompanied by a few brave companions. It appears that Travis had advised that as long as the Alamo held out against Santa Anna's horde, signal guns would be fired each day at sunrise. Late at night on the first day Mr. Houston struck camp near enough to hear the signal gun. At sunrise on the following day he put his ears to the ground in an effort to hear the distant signal, but alas! no sound was heard. The Alamo had fallen and there was none left of its brave defenders to fire the signal gun. Houston hastened on to Gonzales, weighted with forebodings that Travis and his brave band had fallen victims to Mexican tyranny.

Mr. Houston arrived at Gonzales March 10th. Here he found a small body of men without discipline, unorganized and without arms, and poorly clad. They were soon assembled by General Houston, and placed under military discipline. Soon thereafter information reached Gonzales, that the Alamo had fallen the very day that the convention received Travis' appeal.

Immediately on being assured of the fall of the Alamo, General Houston sent a second express to Fannin at Goliad, advising of the fall of the Alamo and instructing him to abandon that Fort and fall back to Victoria, and the Guadalupe. He felt that the

fate of Texas depended on the union of all the forces in the field. Fannin failed to obey General Houston's orders promptly, assigning as a reason therefore, that a portion of his troops were attempting to rescue some families from Refugio and he was waiting their return. This delay was fatal to Fannin and his troops. When he left Goliad, he found himself surrounded by the enemy who attacked him in the open prairie, a short distance out of Goliad and, after a fierce conflict in which he had several of his men killed, and himself wounded, his whole command was betrayed into surrendering, and later all were massacred. When the news of Fannin's fate reached Houston's little army a fearful panic took place, but Houston was not dismayed. He mingled with his brave little band and inspired them with renewed confidence, and began preparations to fall back to the Brazos.

Before leaving Gonzales, however, he organized his forces. A regiment was formed with Edward Burleson, for Colonel, Sidney Sherman and Alexander Somerville Lieutenant-Colonel, respectively. General Houston, reached San Felipe, the second day of his march. On March 30th he reached the Brazos opposite Groce's. He moved his army on an island of the Brazos and remained there until April 11th. He constructed a narrow bridge to the western bank to enable his scouts to pass over that they might keep an eye on the maneuvers of the Mexicans. He left a small guard at San Felipe. When Santa Anna approached San Felipe the little company of Texans crossed to the east side of the Brazos and built a crude fortification of timbers. When the Mexicans discovered them they opened their artillery on them.

When General Houston learned that Santa Anna was crossing the Brazos with his troops, he dispatched orders to his scattered troops to join him on his march to Harrisburg. General Thomas J. Rusk, Secretary of War in President Burnet's Cabinet, joined him about this time. The march to Harrisburg, was beset with many difficulties. Heavy rains made the roads almost impassable and the baggage wagons had to be unloaded many times to enable them to proceed. There was not a tent in

the army and the men slept on the cool and damp ground with the canopy of Heaven as their covering. The hardships they endured on this march have few parallels in modern history. The fourth day's march carried them to the east side of Buffalo Bayou within two miles of Harrisburg. Here Deaf Smith and Henry Karnes crossed the Bayou in search of information of Santa Anna's army. They soon returned with two Mexican Couriers bearing dispatches from Felisola to Santa Anna. This was the first positive information that Houston had secured that Santa Anna was personally in command of the Mexican troops. Orders were at once given to cross to the south side of the Bayou. A small boat was used in crossing the men and baggage. The horses swam across.

Before crossing the Bayou, Houston let it be known that he was in search of Santa Anna, and a battle was to be fought as soon as he was located. As soon as the army had crossed the Bayou the companies were formed into line and General Houston rode upon his horse and addressed them. He told them that they must prepare for battle; that the enemy was near and whenever and wherever he was found he proposed to give battle. He gave then as the battle cry "Remember the Alamo." Instantly the words were shouted out by every man present. General Houston feelingly referred to the cruelties of Santa Anna's army; of the slaughter of Travis, of Crockett, of Bowie, of Fannin, of Ward, of King and their companions; he told them the opportunity for revenge was near; that Santa Anna and his army were close at hand; that a battle was inevitable and victory was sure. General Rusk followed with a strong appeal to the army to act well their part in the battle soon to take place. He closed his address with these words: "They are better equipped than we and their numbers are greater, but God and Right are with us and will give us the victory."

These addresses inspired every man of the little army and they waited only the orders to march. The order was soon given and the little band fell into line without the beat of a drum or the floating of banners. They were determined to conquer or

die, and as they marched towards Santa Anna's troops few words were spoken. Their minds and hearts were fixed on home, their families—their country. Reaching the point a few miles from where the supreme struggle was to be made, the army was halted. The weary men took shelter under the cover of a grove and laying down on their rifles, slept. General Houston, rose at daybreak. Pickets were advanced from every direction and scouts were sent out. The scouts soon returned with information that Santa Anna with his army was near. Fires were built preparatory to the cooking of the beeves previously dressed. Before much progress with the cooking had been made, the scouts reported that Santa Anna was marching up from New Washington (Morgan's Point) to cross the Bayou at Lynchburg. Houston determined to prevent this, and he gave orders to march down the bayou. The men abandoned their cooking and prepared for the march. When they reached the ferry at the junction of Buffalo Bayou and the San Jacinto River, they learned that Santa Anna had not effected a crossing. The Texans took possession of the boats Santa Anna had had constructed and moved them opposite their camp. In a beautiful grove semi-circular in form on the margin of a prairie, Houston posted his army. His force was concealed by the timber and he planted his artillery on the brow of the timber. The Texans were ready for battle, but as Santa Anna's army had not yet arrived, they lighted their fires to complete the cooking which they had shortly before abandoned. The fires had scarcely been lighted when scouts rushed into camp announcing that the Mexicans were in sight. Santa Anna's bugler sounded a charge. Santa Anna thought that he had surprised the Texans, but instead, he was surprised by a discharge of the Texan's artillery, and the Mexicans were driven back in confusion.

This occurred about 10 o'clock on April 20th. The skirmish concluded with the retirement of Santa Anna and his army to a swell in the prairie with timber and water in the rear, where he commenced the construction of breastworks. General Houston expressed satisfaction over the result of the engagement and

said to one of his officers that he felt certain that by protracting the engagement that he would have defeated Santa Anna's army, but it would have been attended with heavy losses of his men. "While tomorrow," he said, "I will conquer, slaughter and put to flight the entire Mexican army and it shall not cost a dozen of my brave men."

The Texan army retired to their camp and refreshed themselves for the first time in two days. "The enemy" said General Houston in his official report, "in the meantime extended the right flanks of their infantry, so as to occupy the extreme point of a skirt of timber on the bank of Buffalo Bayou, and secured their left by a fortification about five feet high, constructed of pack and baggage, leaving an opening in the center of their breastworks, in which their artillery was placed, the cavalry upon the left wing."

The Opportune Moment.

The opportune moment long hoped for by General Houston, had almost arrived. As his little army faced the Mexican army on the afternoon of the 20th, they were eager to begin the conflict, but General Houston had not thoroughly worked out his plan of attack, and the opportune moment had not arrived. But on that fateful April 21st, he summoned for consultation his officers, and laying his plans before them he bade them prepare for battle. The opportune moment had arrived.

At three o'clock in the afternoon of April 21, 1836, the little Texas army was drawn up in battle array waiting the order to charge. The Mexican army was concealed behind the breastworks, feeling secure and looking down with contempt upon the little Texan army. Santa Anna quietly rested in his tent under the delusion that the Texans would never attack him. His army had been reinforced by the arrival of about 500 well trained men, under General Cos, and Santa Anna and his troops were in high spirits. They were gloating over the slaughter of the defenders of the Alamo and the brave men under Fannin and Ward and King, and were waiting for the opportunity to butch-

er the only remaining defenders of the Texas Republic. They imagined that their task was an easy one and Santa Anna's troops grew impatient because of delay. But they knew little of the Texans' spirit. They imagined that the slaughter at the Alamo, at Goliad, at Refugio, at San Patricio had sent terror to the Texan's hearts. But this was a fatal delusion. These heinous crimes only aroused the Texans' determination to seek restitution and when the order to charge was given they rushed into the face of the Mexican cannon with an impetuosity unparalleled in modern warfare. The conflict lasted only about seventeen minutes. Santa Anna's army of trained veterans in war were either put to the sword or routed, and Santa Anna, the self-styled "Napoleon of the West" fled a fallen hero to be captured the following day while hiding in the brambles.

The war cry "Remember the Alamo! Remember the Alamo and Goliad" was shouted out with the order to charge by General Houston. The effect was instantaneous and aroused within the hearts of every Texan the determination to win or die. The shout of the Texans rent the air and drove terror to the Mexican invaders. As the charge was being made in all its fury, Deaf Smith rushed along the lines swinging an axe over his head and exclaimed in a stentorian voice: "I have destroyed Vince's bridge—fight for your lives and Remember the Alamo!" At this moment, the Texans in solid phalanx rushed forward with relentless fury upon the breastworks of the Mexicans. At the head of the center column rode General Houston, into the face of the foe. The Mexican army was drawn up in perfect order. The Texans rushed on without firing a single shot, but as they approached the breastworks, the Mexican line flashed with a storm of bullets, but the God of war was with the Texans and the Mexican bullets flew over their heads. The Texans pressed forward in spite of the fact that their Commander had been badly wounded. Each man reserved his fire until he could choose some particular Mexican and before the Mexicans could reload, discharged his rifle into the very heart of the Mexicans. The Texans were without bayonets and they converted their

rifles into war clubs. A desperate hand to hand struggle took place all along the breastworks. When the Texans had, by smashing the skulls of the Mexicans, broken off their rifles at the breach, they flung the remnants at the terrified Mexicans and drawing their pistols continued the slaughter. When their pistols had been emptied they threw them at the heads of the terrified Mexicans and drew their bowie knives and carved their way through dense masses of human flesh.

The Mexicans fought bravely, but vengeance which fired the Texans' breasts was fierce and relentless. They were fighting for their homes, their families, their dead kindred and the undying rights of civil and religious liberty. They battled as none but men free-born and determined to die free can ever fight. When the Mexicans fully realized that the onslaught of the Texans could not be resisted they fled in dismay to be stabbed in the back. Many fell to their knees and cried out in pleading accent; "Me no Alamo! Me no Alamo!" No claim for mercy occurred to them but to disclaim participation in that brutal affair. But the Texans heeded not their appeal for mercy, remembering that no mercy had been shown their friends and companions by this same merciless band of invaders in their march from the Rio Grande to the San Jacinto.

It is impossible for language to describe the scene of the conflict. Even those who participated in it were unable to adequately picture it. Each was so intent on performing the task assigned to him that he gave little heed to the happenings around him.

Few battles of the world have been more decisive and tremendous in their influence over civilization than the Battle of San Jacinto. It changed the map of the North American continent and opened the way for the United States to extend its boundaries to the Rio Grande on the Southwest and to the Pacific Ocean on the West. It sealed the destiny of the Texas Republic, confirmed the Declaration of Independence, drove from the country east of the Rio Grande an invading host and established liberty where tyranny sought to enthrone itself.

Very soon after this victory at San Jacinto, General Houston repaired to New Orleans for surgical care. While in New Orleans the question of electing a President of the young Republic became a live issue and all eyes turned to General Houston, the hero of San Jacinto. In the election which followed he was chosen the first President of the Republic of Texas.

The First Congress of the Republic was organized at Columbia, October 3, 1836. Houston was inaugurated as President October 22. He served one term—two years only—because of a provision in the Constitution which read as follows: "The first President elected by the people shall hold his office for the term of two years and shall be ineligible during the next term."

When Mr. Houston took the reins of government as President, he found an empty treasury and the country without credit. An army was in the field without means of support. A serious situation confronted him. He could not disband the army without paying the men off, so he concluded to reduce the army by issuing furloughs. He announced trade and commerce relations between Mexico and Texas. Trade sprang up rapidly. Everybody was for peace. His administration was successful and profitable to the country.

After the expiration of Mr. Lamar's term as second President, Mr. Houston succeeded him.

After annexation in 1845 the First Legislature of Texas elected him to the Senate in the United States Congress and he served in that body from February 21, 1846 to March 3, 1859. In 1858 he was elected Governor of Texas and took the oath of office the following January, 1859. He was deposed March 18, 1861, because he refused to take the oath required of him by the Legislature and the Secession Convention. He died in Huntsville, July 26, 1863. When the Legislature met in November following his death, strong resolutions of regrets were passed by that body.

General Houston was often severely criticised because of the terms of the treaty he and John Forbes made with the Cherokees and their associate bands, February 23, 1836. It will be recalled

that the Consultation, realizing the importance of holding the friendship of these Indians, on November 13, 1835 passed a resolution pledging them friendship and protection in the possession of their homes. To carry out the provisions of the resolution, General Houston, John Forbes and John Cameron were appointed Commissioners to enter into a treaty with these Indians in accordance with the provisions of the resolutions. The Commissioners accepted the resolution in good faith and proceeded to the headquarters of the Cherokees and negotiated a treaty with them and their associate bands.

The resolution authorizing the treaty and which guided the Commissioners in their actions was as follows:

Be it solemnly decreed:

That we, the chosen delegates of the Consultation of all Texas, in general convention, solemnly declare:

That the Cherokee Indians and their associate bands, twelve tribes in number, agreeable to their last general council in Texas, have derived their just claim to lands included within the bounds hereinafter mentioned, from the government of Mexico, from whom we have also derived our rights to the soil, by grant and occupancy. We solmnly declare, that the boundary of the claims of the said Indians to lands is as follows: to-wit; lying north of the San Antonio road, and the Neches, and west of the Angelina and Sabine rivers. We solemnly declare that the governor and general council shall immediately on its organization, appoint Commissioners to treat with the said Indians, to establish the definite boundary to their territory, and secure their confidence and friendship. We solemnly declare that we will guarantee to them the peaceful enjoyment of their rights to their lands as we do our own. We solemnly declare, that all grants, surveys, or locations of Indians, within the bounds hereinbefore mentioned, made after the settlement of the said Indians are, and of right ought to be utterly null and void; and, the Commissioners issuing the same, be, and are hereby ordered immediately to recall and cancel the same, as having been made upon lands already appropriated by the Mexican

government. We solmnly declare, that it is our sincere desire that the Cherokee Indians, and their associate bands, should remain our friends in peace and war and if they do so, we pledge the public faith for the support of the foregoing declarations. We solemnly declare that they are entitled to our consideration and protection, as the just owners of the soil, as an unfortunate race of people, that we wish to hold as friends and treat with justice. Deeply and solemnly impressed with these sentiments, and as a mark of our sincerity, your committee would very respectfully recommend the adoption of the following resolution:

Resolved: That all the members of this convention now present sign this declaration and pledge of the public faith, on the part of the people of Texas.

Done in convention at San Felipe de Austin, this 13th day of November, A. D., 1835.

B. T. Archer, President;
P. B. Baxter, Secretary.

John A. Wharton, John Bevil, William P. Harris, Joseph L. Horne, Charles Wilson, A. Horton, J. D. Clements, R. M. Williamson, A. B. Hardin, Wm. N. Segler, Edwin Waller, Claiborne West, Philip Coe, Wylie Martin, Sam Houston, Daniel Parker, James W. Parker, R. R. Royall, William Menefee, Lorenzo de Zavala, George M. Patrick, M. W. Smith, Wm. S. Fisher, John S. D. Byrom, A. E. C. Johnson, W. Smith, Alexander Thompson, Wm. Whitaker, Asa Hoxey, Wyat Hanks, E. Collard, J. G. W. Pierson, A. G. Perry, Martin Parmer, James W. Robinson, Henry Smith, R. Jones, J. S. Lester, John W. Moore, David B. McComb, D. C. Barrett, C. C. Dyer, S. H. Everett, Jesse Grimes, James Hodges, Albert G. Kellogg, Asa Mitchell, Henry Millard, Wm. W. Arrington, Jesse Burnam, Geo. W. Davis, Benjamin Fuqua, A. Huston.

Henry Smith, Governor;
C. B. Stewart, Secretary.

Following the instructions of the Consultation the General Council passed the following resolutions:

Be It Resolved, by the General Council of the provisional government of Texas, that Sam Houston, John Forbes and John Cameron, be and they are hereby appointed commissioners to treat with the Cherokee Indians, and their twelve associate bands, under such instructions as may be given them by the Governor and Council; and should it so happen that all the commissioners can not attend, any two of them shall have power to conclude a treaty, and report the same to the General Council of the Provisional government, for its approval and ratification

Passed December 22, 1835.

JAMES W. ROBINSON, Lieutenant-Governor and Ex-Officio Pres. of the General Council.

E. M. PEASE, Secretary of General Council.

Approved December 28, 1835.

HENRY SMITH, Governor;

C. B. STEWART, Sec. of Executive.

On the date on which Governor Smith approved the act of the General Council he issued the following communication to John Forbes, Sam Houston and John Cameron:

In the name of the people of Texas, sovereign and free, to whom . . . . these presents shall come, Be It Known:

That I, Henry Smith, Governor of Texas, by virtue of the authority vested in me as Governor aforesaid, do hereby commission John Forbes, Sam Houston and John Cameron, Esqurs., as commissioners on the part of the government of Texas, in conformity with the declaration of the chosen delegates of all Texas in convention assembled in the month of November last, setting forth the external bounds, within which certain Indians therein named are to be settled. And in conformity with an ordinance and decree passed by the legislative council of Texas, under date of the 22nd inst, authorizing the appointment of the said Houston, Forbes and Cameron, for the purpose afore-

said, to treat with the said Indian tribes in conformity with the superior declaration of the convention, and pursuant to, and in conformity with the said ordinance and decree as above designated, and to be governed by the accompanying instructions. All acts performed by the said commissioners on the part, and in the name of the people of Texas, within the purview and by virtue of this authority shall be valid and ultimately ratified by this government, in good faith, when finally approved and ratified by this government.

In testmony of which I, Henry Smith, Governor as aforesaid, have hereunto set my hand and affixed my private seal; no seal of office yet provided.

Done and signed at my office in the town of San Felipe, this 28th day of December, 1835.

HENRY SMITH, Governor;
C. B. STEWART, Sec. of Executive.

On December 30th Governor Smith issued instructions which were to govern the actions of the commissioners in making a treaty with the Cherokees and their associate bands.

I am giving a record of all the transactions pertaining to the treaty with the Cherokee: (1) for the purpose of preserving these records; (2) to enable one to judge if the commissioners transcended the instructions given them by the Consultation and Governor Smith. The authority given the commissioners by the Consultation and the instructions given them by Governor Smith are not couched in ambiguous language and their meaning needs no interpretation.

Governor Smith's instructions are in this langauge:

"To
John Forbes,
Sam Houston, and
John Cameron, Esqurs.

Gentlemen:—The following will be handed you as your instructions on the part of the Government of Texas, by which you will be governed in the discharge of your duties as com-

missioners in treating with the Cherokee Indians and their associate bands in conformity with your commisisons.

You will proceed to Nacogdoches as soon as practicable and enter on the discharge of your duties, in the discharge of which, you will in nowise transcend the declaration made and signed by the consultation in November last. You will in all things pursue a course of justice and equity towards the Indians, and to protect all honest claims of the whites, agreeable to such laws, compacts or treaties, as the said Indians may have heretofore made with the Mexican Republic.

You will provide in said treaty with the Indians, that they shall never alienate their lands, either separately or collectively, except to the government of Texas. And to agree that the said government will at any time hereafter purchase all their claims at a fair and reasonable valuation.

You will endeavor, if possible, to secure their effective co-operation at all times when it may be necessary to call the effective force of Texas into the field, and agreeing for their services in a body for a specified time.

If found expedient and consistent you are authorized and empowered to exchange other lands within the limits of Texas, not otherwise appropriated in the room of the lands claimed by said Indians, and as soon as practicable, you will report your proceedings to the Governor and Council for their ratification and approval.

I am respectfully, Gentlemen,

Your obedient servant,

HENRY SMITH, Governor;
C. B. STEWART, Sec. of Executive.

San Felipe de Austin, Dec. 30, 1835."

On General Houston's return to San Felipe, from his visit to Johnson and Grant at Goliad and Refugio, he was given a furlough from the army that he may carry out the instructions of the General Council and Governor Smith. He accordingly made his way to the headquarters of the Cherokees, accompanied

by Col. G. W. Hockley and others, and on February 23, 1836, completed and signed the following treaty, to-wit:

TREATY

With the Cherokees, by Houston, Forbes and Cameron, Commissioners.

This treaty made and established between Sam Houston, and John Forbes, commissioners on part of the provisional government of Texas of the one part, and the Cherokees and their associate bands, now residing in Texas, of the other part; to-wit:

Shawnees, Delawares, Kickapoos, Quapaws, Choctaws, Boluxies, Iawanies, Alabamas, Coochatties, Caddoes of the Neches, Tahookapatkies and Unatquaous. By the head chiefs, head men and warriors of the Cherokees, as elder brother and representatives of all the other bands, agreeably to their last general council. This treaty is made conformably to a declaration made by the last general consultation at San Felipe, and dated 13th November, A. D., 1835.

ARTICLE 1.

The parties declare that there shall be a firm and lasting peace, forever; and that a frendly intercourse shall be preserved by the people belonging to both parties.

ARTICLE 2.

It is agreed and declared that the before named tribes or bands, shall form one community; and that they shall have and possess the lands within the following bounds; to-wit:—lying west of the San Antonio road, and beginning on the west at the point where the said road crosses the river Angelina, and running up said river until it reaches the mouth of the first large creek, below the great Shawnee Village, empyting into the said river from the northeast, thence running with said creek to its main source and from thence a due north line to the Sabine, and with said river, west; then starting where the San Antonio road crosses the Angelina, and with said road to where it crosses the Neches, and then running east side of said river in a northwest direction.

ARTICLE 3.

All lands granted or settled, in good faith, previous to the settlement of the Cherokees, with the above described bounds are not conveyed by this treaty, but excepted from its operation. All persons who have once been removed, and returned, shall be considered as intruders, and their settlements not respected.

ARTICLE 4.

It is agreed by the parties aforesaid that the several bands of tribes named in this treaty, shall remove within the limits or bounds as before described.

ARTICLE 5.

It is agreed and declared by the parties aforesaid, that the land lying and being within the aforesaid limits, shall never be seld, or alienated, to ANY PERSON or PERSONS, power or government, whatever, else than the government of Texas. And the commissioners on behalf of the government of Texas, bind themselves, to prevent in future, all persons from intruding with the said bounds. And it agreed on the part of the Cherokees, for themselves and their younger brothers, that no other tribes or bands of Indians whatsoever, shall settle within the limits aforesaid, but those already named in this treaty, and now residing in Texas.

ARTICLE 6.

It is declared that no individual person, member of the tribes before named shall have power to sell or lease land to any person or persons, not a member or members of this community of Indians, nor shall any citizen of Texas, be allowed to LEASE or BUY land from any Indian or Indians.

ARTICLE 7.

That the Indians shall be governed by their own regulations and laws within their own territory, not contrary to the laws of the government of Texas. All property stolen from the citizens of Texas, or from the Indians, shall be restored to the party from whom it was stolen, and the offender or offenders shall be punished by the party to whom he or they may belong.

ARTICLE 8.

The government of Texas, shall have power to regulate trade, and intercourse, but no Tax shall be levied on the trade of the Indians.

ARTICLE 9.

The parties to this treaty agree, that one or more agencies shall be created, and at least one agent shall reside specially within the Cherokee villiages, whose duty it shall be, to see that no injustice is done to them, or other members of the community of Indians.

ARTICLE 10.

The parties to this treaty, agree, that so soon as Jack Steele and Sam Binge, shall abandon their improvements, without the limits of the before recited tract of country, and remove within the same, that they shall be valued, and paid for by the government of Texas, they the said Jack Steele and Sam Binge, having until next November, from the date of the treaty allowed them to remove within the limits before described, and that all the lands and improvements now occupied by any of the before mentioned bands, not lying within the limits before described, shall belong to the government of Texas, and subject to its disposal.

ARTICLE 11.

The parties to this treaty, agree and stipulate, that all the bands as before recited (except Binge and Steele) shall remove within the before described limits, within eight months from the date of this treaty.

ARTICLE 12.

The parties to this treaty agree, that nothing herein contained shall affect the relations of the Sabine or the Neches nor the settlers in the neighborhood thereof, until general council of the several bands shall take place, and the pleasure of the convention of Texas be known.

ARTICLE 13.

It is also declared, that all titles issued to land, not agreeable to the declaration of the general consultation of the people of all Texas, dated the thriteenth day of November, 1835, within the before recited limits, are declared void as well as all others and surveys, made in relation to the same.

Done at Colonel Bowles' Village on the 23rd day of February, 1836, and the first year of the provisional government of Texas, signed by

Sam Houston,
John Forbes,
Col. (X) Bowles,
His Mark.
Sam (X) Binge,
His Mark.
Cosoote, (X)
His Mark.
Corn X) Tassle,
His Mark.
The (X) Egg,
His Mark.
John (X) Bowl,
His Mark
Tunnetee (X)
His Mark

Witnesses:
Fox (X) Fields, Interpreter.
His Mark.
Henry Millard,
Joseph Durst,
A. Horton,
George W. Case,
Mathias A. Brighan,
G. W. Hockley, Sec. to Com.

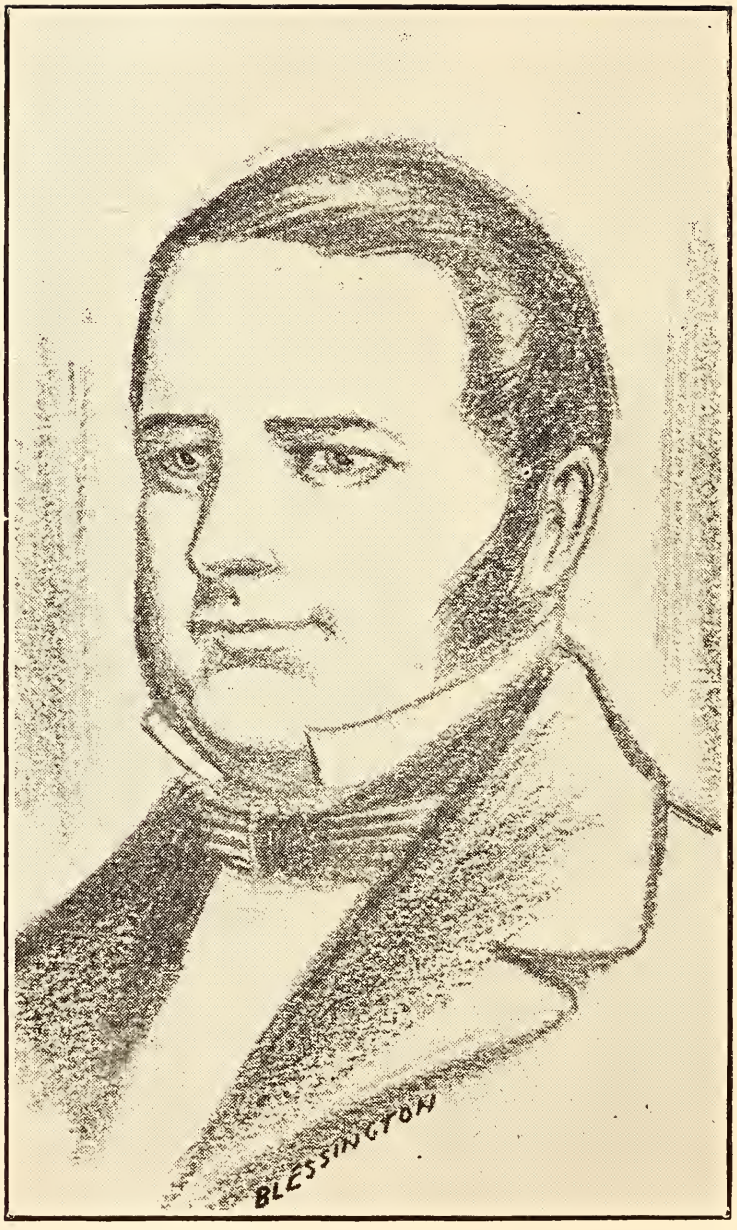
I Certify the above to be a true copy of the Treaty.

(Signed) JOHN FORBES, Com.

A careful reading and weighing of all the documents pertaining to this transaction will doubtless lead the impartial historian to acquit General Houston and Mr. Forbes of the charge of transcending the authority given them by the Consultation, November 13, 1835, and the instructions given them by the general council and Governor Smith; and to agree to the accuracy of President Houston's statement in his message to the Senate of the Republic, May 21, 1838. In this message President Houston said: "On a careful and dispassionate comparison of all the documents and circumstances it will be observed that the commissioners did not transcend the power delegated them, but acted in strict conformity with the previous action of the government, and in a manner which in no wise compromitted either its honor, or the lawful right of any individual."

When the Consultation pledged protection and friendship to the Cherokee Indians and their twelve associate bands, it was known that war with the Mexican government was inevitable, and that should these Indians join the Mexican forces that the hopes and aspirations of the Texans would be blasted, and their homes destroyed, and the country laid waste by the torch of war. The success of the Texans was linked with the action of these Indians. It was a critical moment in the history of the State. The commissioners realized the importance of winning and holding the friendship of these Indians, and in a faithful effort to carry out the wishes of the government the treaty was consummated—not in conformity with their peculiar views, but in accordance with the wishes expressed by the representatives of the whole people in Consultation, and the instructions of the Governor of the provisional state representing a sovereign and free people.

The criticisms of the commissioners, then, under all the circumstances, was unjustified, cruel and malicious.



THOMAS J. RUSK

THOMAS JEFFERSON RUSK

Signer of the Declaration of Independence—Chief Justice Supreme Court of the Republic—Senator in United States Congress

His Early Career—Studies Law under John C. Calhoun—Comes to Texas and Locates at Nacogdoches—Member of Convention at Old Washington—Secretary of War—Participates in the Battle of San Jacinto—Chief Justice Texas Supreme Court—Senator in United States Congress—Death in Nacogdoches, 1857.

As citizen, judge and statesman, Thomas J. Rusk was guided by the same lofty patriotism that nerved him in his impetuous charge on the Mexicans at San Jacinto. With possibly one exception, he became the most famous of all the patriots who took part in the Convention at Old Washington and laid the foundation upon which was erected the Republic of Texas. Viewing him from every angle, he was a most remarkable man. He was endowed with a bright intelligence, robust physique and great courage. These gifts of nature fitted him for the long and eventful career of fame and renown which crowned his life.

A writer in the Encyclopedia of the New West said of him: "Mr. Rusk was a wise man in his day and generation; a patriot as pure as the dews of Heaven; a husband, tender to weakness; a friend, guileless and true; an orator, persuasive and convincing; a soldier from a sense of duty; in battle, fearless as a tiger; in peace, quiet as a dove."

Mr. Rusk came of a prominent South Carolina family, and his ancestors on both sides had distinguished themselves in the War of the colonies with the Indians and the British, and afterwards in the establishment of a permanent government for South Carolina.

He was born in Camden, South Carolina, August 8, 1802. Here he was reared and given an academic education. As he approached manhood his pleasing personality and studious habits attracted the attention of John C. Calhoun, who induced him to enter his law office for the purpose of preparing himself for the

legal profession for which his talents so well fitted him. This was in 1820. Mr. Calhoun was at that time Secretary of War in President Monroe's Cabinet, yet he suggested and directed young Rusk's course of study. Mr. Rusk remained as a student under Mr. Calhoun's guidance for nearly three years, when he was admitted to the bar. Very soon after being licensed to practice law, Mr. Rusk moved to Clarksville, Georgia, and devoted himself assiduously to his profession. He had many clients and soon drew around him many friends and was a welcome guest in the homes of the wealthiest and most prominent families. Here he married a daughter of General Cleveland, a prominent citizen and statesman. He was progressing will in his profession and accumulated quite a fortune which he invested largely in business enterprises. Early in 1835 a dishonest employee of a mining company in which he and his friends were heavy investors, ran away with the available assets of the company. It was learned that he had gone to Texas and Mr. Rusk was induced to follow him in an effort to recover the stolen property. He succeeded in locating the absconding employee but found that he had squandered the wealth. Mr. Rusk went as far into the interior of the State as Nacogdoches. "He found the country aflame with the spirit of revolution," said Elizabeth Brooks, "every man a soldier, every house an arsenal. His sympathetic nature caught the infection and forgetting all else, he made the cause of the patriots his own."

Mr. Rusk found the citizens of Nacogdoches greatly alarmed over the reports of Mexican and Indian atrocities in the west. Very soon after his arrival there was a mass meeting held to organize for defense. He attended the meeting, and on invitation, mounted an improvised platform on the public square, and delivered a vigorous and most eloquent appeal to the assemblage, urging them to organize, and volunteered to become one of a company to march to the rescue of the people in the west. The effect of his address was electrical and a company was immediately organized with Mr. Rusk as commander to "lead it to the scene of disorder." A strong Vigilance Committee was

soon organized for Nacogdoches and Mr. Rusk was elected Secretary. While in this position he formulated a vigorous protest against the further introductions into Texas of Indians from the United States.

Mr. Rusk joined the forces before San Antonio in October, 1835, and at the head of a Cavalry Company attempted to draw General Cos' cavalry out. In a daring manner he exposed himself to the fire of the enemy, but was unsuccessful in getting the Mexicans to charge him.

After the Texans won the victory at Conception, Mr. Rusk and Colonel J. W. Fannin were commissioned by the Executive Council to procure men and munitions for the army. He was also elected by the Executive Council, Commissariat for the Texas Army.

When a convention was called to meet at Old Washington, March 1, 1836, Mr. Rusk was elected a delegate, and when that Convention framed the Declaration of Independence he became a signer to it. From that date until his tragic death he was a central figure in the State's history.

When David G. Burnet became President of the Republic, *ad interim*, he appointed Mr. Rusk Secretary of War in his Cabinet. Mr. Rusk immediately issued a strong appeal to the citizens of Texas to march to the defense of the Country and set out from Harrisburg to join General Houston's army.

In speaking of Mr. Rusk's going to Houston's army, Mr. Davenport said "He was welcomed in camp as the ablest, safest counselor of Texas in the pending unequal struggle for independence."

Two days before the decisive victory of the Texans at San Jacinto, Mr. Rusk issued his second appeal to the citizens of the State. It was a patriot appealing to freemen to rush to the defense of the country and to the protection of the home and those most dear.

"A few more hours," he said, "will decide the fate of our army; the fate of your wives, your children, your country and all that is dear to a freeman are suspended on the issue of one battle. Are you Americans? Are you freemen? If you are, prove your blood and birth by rallying at

once to your country's standard. Your General is at hand, into the breach to save his country and vindicate her rights. Enthusiasm prevails in the army; but I look around and see that many, very many, whom I anticipated would be the first in the field, are not here. Rise at once, concentrate and march to the field! a vigorous effort and the country is safe! A different course disgraces, and ruin faces you, and what is life worth with the loss of liberty? May I never survive it!''

When preparations were being made for the battle on April 21st, General Houston had Rusk by his side and as the plan of assault was being worked out Mr. Rusk's wise counsel was heeded. General Rusk was assigned to command the left wing, while Houston himself led the center. The heroic conduct of General Rusk was excelled by none who participated in that tremendous struggle. When Houston, severely wounded, retired from the field of conflict, General Rusk assumed command and completed the victory; and on Houston's retirement to seek medical aid in New Orleans, General Rusk was appointed to succeed him, and as such he followed the retreating Mexican army of General Filisola as far as Goliad. There he collected the bones of Fannin and his four hundred and eighty massacred patriots and buried them with military honors and delivered over their graves one of the most inspiring addresses ever delivered in Texas. General Rusk, in this address, said:

''Fellow Soldiers—In the order of Providence, we are this day called upon to pay the last sad offices of respect to the remains of the noble band, who battling for our sacred rights, have fallen by the hand of a ruthless tyrant. Their gallant and chivalrous conduct entitles them to the heartfelt gratitude of all Texans. Without any further interest in the country than that which all noble hearts feel, at the bear mention of the word *liberty* they rallied to our standard, voluntarily relinquished the ease, peace and comfort of their homes, leaving behind them their mothers, sisters, wives and everything they held most dear, they subjected themselves to fatigue and privations, and nobly threw themselves between the people of Texas and the legions of Santa Anna. Here unaided by reinforcements and far from help and hope, they battled bravely with the minions of tyranny, ten to one; surrounded in the open prairie by this fearful odds, cut off from provisions, and even water, they were induced under a solemn pledge of receiving the treatment usual in such cases, to surrender as prisoners of war. They were brought back to this place, and after being treated with the utmost inhumanity and barbarity for a week, they were marched out

of yonder fort, under pretense of procuring provisions, and it was not until the firing of musketry, and the shrieks of the dying, that they were notified of their approaching fate. Some attempted to make their escape, but were pursued by the ruthless cavalry and most of them cut down by their swords. A small number of them now stand by the grave; a bare remnant of that noble band; our tribute of respect is due them; it is due to their mothers, sisters and wives who weep their untimely end, and we should mingle our tears with theirs. In that mass of bones and fragments of bones, many a mother might see her son; many a sister her brother, and many a wife her once beloved and affectionate husband. Many a tender and affectionate woman will remember with tearful eye Labahia. But we have a consolation to offer them; it is that their murderers sank in death on the plains of San Jacinto, under the appalling words 'remember Labahia;' we have another consolation to offer them; while Liberty has a habitation and a name, the chivalrous deeds of these brave men will be handed down upon the bright pages of history. We can still offer them another consolation; 'Santa Anna, the mock hero, the black-hearted murderer, is in our power; aye, and there he must remain, and tortured with the keen pains of corroding conscience, must oft remember Labahia. While the names of the brave men who perished here, shall soar to the highest pinnacle of fame, their murderer must sink down to the lowest depths of infamy and disgrace'.''

General Rusk remained in command of the army a short time only. He returned to private life at Nacogdoches. But he was not long to enjoy his retirement for when Houston was inaugurated President of the Republic, he prevailed upon him to enter his Cabinet as Secretary of War. But he served in this capacity for a few weeks only as his private affairs demanded his resignation. In 1837, however, he was elected a member of the Second Congress. He was re-elected to the Third Congress. This body elected him Brigadier General of the Army and while holding this position he engaged a band of Indians at Kickapoo, which he defeated and routed. In 1839 he commanded a Regiment in the war with the Cherokees. A hard fought battle took place between the Texans and Cherokees July 6, 1839, in which Chief Bowles was killed and his band driven from the State. In that same year he was elected by Congress, Chief Justice of the Supreme Court of the Republic, and held the first term of that Court at Austin in the winter of 1839-40. At that time the Supreme Court consisted of a Chief Justice and the District

Judges elected by Congress on joint ballot. The Chief Justice and a majority of the District Judges constituted a quorum.

Judge Rusk, however, soon resigned as Chief Justice of the Supreme Court and resumed the practice of law at Nacogdoches. He was elected in 1845 a delegate to the Convention called to frame a Constitution for the proposed State of Texas. He was chosen presiding officer of this Convention and when the First Texas Legislature met February 16, 1846, he was unanimously elected one of the two Senators to represent the State in the Congress of the United States, the other being Sam Houston. Mr. Rusk took his seat in the Twenty-ninth Senate, March 26, 1846. He was re-elected to the Senate of the Thirtieth, Thirty-first, Thirty-second, Thirty-third, Thirty-fourth and Thirty-fifth Congresses. He sustained President Polk in prosecuting the war with Mexico, as a result of the annexation of Texas to the Union, and defended with fervor the rights of Texas. He was elected President pro tempore of the Thirty-fifth Senate, March 14, 1857, in special session.

Mr. Rusk's Senatorial career was marked by great brilliancy. He was regarded by his colleagues as one of the ablest members of that body. His death from his own hands at his home in Nacogdoches, July 29, 1857, caused the whole nation to mourn.

When a new county was created from Nacogdoches County in 1843, it was named for General Thomas Jefferson Rusk, an officer in the battle of San Jacinto and signer of the Declaration of Texas Independence.

STERLING C. ROBERTSON

STERLING C. ROBERTSON

Signer of the Texas Declaration of Independence

Early Life in Tennessee—Joins United States Army—Promoted to Rank of Major—Visited Texas in 1823—Becomes an Empressario—Makes Texas His Permanent Home—Mexico Annuls His Colony Contract—Has It Restored—Further Trouble with Mexico—Delegate to the Convention at Old Washington—Senator in First and Second Congresses of the Republic—Death.

Mr. Robertson has been described as a man of commanding appearance, cultured, refined and honorable in all his dealings and highly esteemed as a citizen and official.

William Menefee, who served with him in the Convention at Old Washington in 1836 and in the Congress of the Republic, said this of him: "Mr. Robertson was one of the leaders in the Convention at Old Washington. He was polished in speech and progressive in thought. He did not aspire to leadership, but his towering intellect, courteous bearing and pleasing personality gave him that commanding position. As a Senator in the Republic's First and Second Congresses, he measured in intellect and influence with the biggest men of that body. He was a personal admirer of William H. Wharton of the First, Second and Third Senates and Alexander Somervell of the First and Second Senates and these three Senators were frequently seen in social conferences. Mr. Robertson gave close attention to the Senate's proceedings and was a zealous supporter of administrative measures. He was progressive, yet conservative and prudent and believed more in performance than promises. In debate he was brief and pointed and never tired the Senate with long speeches. He was more often applauded than criticized for his stand on measures before the Senate. Personally, I admired him very much."

Mr. Robertson was born in Nashville, Tennessee, October 2, 1785. Tennessee was at that time a part of North Carolina and was not admitted to the Union as a separate state until June 1,

1796. Mr. Robertson was reared in Nashville and educated in the best schools of that place.

In 1813 he joined the United States Army as a volunteer and served both against the Indians and British. He took part in many battles and because of his valiant conduct he was promoted to the rank of Major and served with distinguished gallantry on the Staff of General Carroll in the battle of New Orleans in 1815.

When Mexico achieved her independence from Spain, it became the Mecca of many adventurous young men. Mr. Robertson was among the number and turned his eyes toward Texas. In 1823 he made a tour of the Mexican State of Texas and was charmed by the beauty of her scenery and the richness of her lands. When he returned to Nashville, he at once began planning to settle in the new Eldorado. He enlisted a number of his friends and acquaintances in the organization of a company to establish a colony in Texas. No action was taken, however, until the Congress of Mexico turned over to the States the matters of colonies for the States. He then sent a member of his company, Robert Leftwich, to the Capitol at Coahuila and Texas to procure a contract to settle eight hundred families in Texas. The territory sought for settlement embraced parts of what is now Brazos and Burleson Counties; all of Milam, Falls, Williamson, McLennan, Bell, Coryell, Limestone, Navarro and a part of Hill and small parts of other contiguous counties. Mr. Leftwich was successful in his mission, as a contract was procured April 15, 1825, being the first contract to colonize any portion of Texas by the State of Coahuila and Texas, Austin's contract having been made prior to the passage of the law authorizing the States to make contracts to colonize their own lands.

After securing this contract, Mr. Leftwich returned to Nashville, where he died soon thereafter. Mr. Robertson then took personal charge of his company's affairs and hastened to Texas. He established his headquarters at a point on the Brazos near the present town of Marlin. He also established a settlement lower down on the Brazos and located a townsite which he called

"Nashville" in honor of his birthplace. This was to be a point from which settlers were to be distributed to such section of the colony tract as they may choose. This village was located on a bluff on the right bank of the Brazos river, above where the International-Great Northern Railroad crosses the Brazos river, south of Hearne. Here he built substantial forts, etc, as protection against Indian assaults and it soon grew to be an important point. Supply depots were also erected and supplies were distributed from this point. About ten miles below Nashville and at the crossing of the old San Antonio road, he established another settlement which he called Tenochtitlan. Owing to the delay incident to the death of Mr. Leftwich, Mr. Robertson did not introduce any colonists until 1829. As the original contract would expire on April 14, 1831, Mr. Robertson secured an extension of time. About this time serious complications arose from the Decrees of the Mexican Government under the reign of Bustamente, prohibiting further introduction of American settlers in Texas. In the meantime Mr. Robertson was in the United States organizing and equipping groups of settlers for his colony and knew nothing of the Decree. A group of these colonists reached the Texas border before they knew that they were prohibited from entering the State. Many of them, however, crossed into Texas and found safety in Austin's Colony. When the Mexican Government learned that Mr. Robertson's company was permitting settlers to enter Texas in violation of the Decree, it cancelled his contract and transferred it to Austin and Williams. This transfer was made February 25, 1831. Mr. Robertson at once began proceedings to have this transfer annulled and the contract restored to his company. Over three years was consumed by the controversy. On April 29, 1834, it was restored to him. He began at once his activities to bring in colonists. In spite of his hard labor and earnest effort to carry out his contract with the Mexican Government, his contract was again annulled and transferred to Austin and Williams on May 18, 1835. Thus matters stood when the Texas Revolution broke out at Gonzales, October 2d, following. Mr. Robertson was at this time in the United States.

Regarding this event in Mr. Robertson's career in Texas, Maj. H. B. Houser said: "Mr. Robertson had few enemies and bore little malice. He was not quite willing, however, to forgive Stephen F. Austin for the part he played in the transfer of his empresario contract from himself to Austin and Williams. When this transfer became known it created bitter criticism of Mr. Austin, as he was at that time a member of the Congress of Coahuila and Texas and in a position to have protected Mr. Robertson's contract. Mr. Robertson succeeded in having the contract restored to him, but the controversy left its gaping wounds."

In speaking of this unfortunate affair, one of Mr. Austin's defenders—and he had many—said: "Without knowing all the facts regarding this transaction (the transfer of Robertson's contract) there might be some justification for the criticism of Mr. Austin. But when Mr. Austin realized that the governor of Coahuila and Texas was determined to annul Mr. Robertson's contract and transfer it to another on the statement of Teran, he sought the transfer to Austin and Williams, but did nothing to prejudice Mr. Robertson's title, and when the contract was returned to Mr. Robertson he expressed great pleasure."

This statement is partly substantiated by the statement issued by Mr. Austin to the Senate of the Republic, December 2, 1836, less than a month before his death. In this statement he claimed that he had intervened in Robertson's behalf and had his contract restored at one time, but from the fact that the Mexican Government had lost confidence in Mr. Robertson and was preparing to annul his contract the second time, he sought the transfer of the contract to Austin and Williams, that he might be able to protect his colony below by settling up the country above.

The continued intrigue against Mr. Robertson greatly annoyed him and his friends and they did not spare Austin in their indiscriminate attacks.

Of course we may never know the nature and character of the reports which reached the Governor of Coahuila and Texas regarding Mr. Robertson, but we do know that no man stood

higher among his people than he did. The evidence brought out in the final trial of the case in which Mr. Robertson was completely vindicated, is damaging to the character of some whose memory is cherished. The complete triumph of Mr. Robertson was gratifying to his family and friends.

When the news of the clash of arms at Gonzales reached Mr. Robertson he hurried back to Texas and was soon thereafter elected a delegate to the Convention called to meet at Old Washington, March 1, 1836. He participated in the Convention and signed the Declaration of Independence adopted March 2d. When the news reached Washington that the Alamo had fallen and its brave defenders put to the sword, he arose in the Convention and asked liberty to retire that he may rush back to his colony and secure his valuable papers, letters, etc., belonging to his colonists and organize an armed force to assist in driving the invaders from the State. "When Mr. Robertson made this request," said Charles R. Stewart, "it created great enthusiasm. Delegates yelled out from their seat, "Go, Robertson, and we will join your army on the firing line." Mr. Robertson at once left Washington and with two companions made his way to his colony. After securing all papers, titles and maps, he entrusted them to a fourteen-year-old son to take beyond the limits of the State and immediately organized a strong company, which he equipped and marched to join the army of Sam Houston, then on its march to San Jacinto.

Regarding this event, Judge Fulmore says, "Whether Mr. Robertson overtook General Sam Houston in time to participate in the battle of San Jacinto is not certainly known. His name does not appear in the official list prepared under General Houston's direction. On the other hand, a donation certificate of six hundred and forty acres of land was issued to him for participating in that battle, before the issuance of which, strict proof was required by the law."

After matters had quieted down, Mr. Robertson sought his son, to be sure his private papers were secure. After finding him safely beyond the limits of the State, he returned to his home

and at the election which followed he was elected Senator in the First Congress of the Republic, from the District of Milam. He was re-elected Senator to the Second Congress without opposition. At the end of his term in the Second Congress he retired to his home and devoted his time to private business, which had suffered as a result of his public services.

In 1837 Congress passed an act authorizing him to institute proceedings in the Courts to determine his rights as to the lands of his colony as an Empresario. A suit was filed and is reported in the second volume of Decisions of the Supreme Court of Texas. Chief Justice Hemphill rendered the decision of the Court, and was favorable to Mr. Robertson. The decision was not rendered until 1847, five years after Mr. Robertson's death on his farm in Robertson County, March 4, 1842.

When Robertson County was created from Milam County in 1837, it was named in his honor.

SIDNEY OSWALD PENNINGTON

Signer of the Texas Declaration of Independence

Early Life—Comes to Texas in 1832—Employed by Scientific Association—Delegate to the Convention Which Met at Old Washington, March 1, 1836—Favored Burnet for President of New Government—Member of First Congress of the Republic.

S. O. Pennington was a Kentuckian by birth, having been born in that State in 1809. Here he was reared and educated. He moved to the territory of Arkansas in early life and came to Texas from that State in 1832. On coming to Texas he settled in the municipality of Tenaha which afterwards was changed to Shelby. He was a close personal friend of George W. Smyth, one of the delegates to the Washington Convention, who came to Texas in 1828 and settled in the municipality of Bevil, which was later changed to Jasper. They were both men of culture and refinement and became staunch friends. Mr. Pennington was a man of more than ordinary culture and intelligence, and was looked upon with great favor by the delegates to the Convention at Old Washington. Very soon after coming to Texas, a scientific association of Baltimore and Lexington secured his services to perform some research work for them. He entered the work with enthusiasm and made several trips to the headwaters of the Brazos and Trinity rivers, and their tributaries. He wrote a description of the San Saba, Llano and Perdenales rivers. He visited numerous Indian mounds in Eastern Texas, and the scene of Indian villages on the Red river. We have been unable to locate these records, but it is known that they were completed in detail.

Mr. Pennington was a conspicuous figure in early Texas history, and is referred to by William Carroll Crawford as "the "peer of the ablest Delegates at Washington." He was a ready and polished speaker and on several occasions when he took the floor at the Washington Convention, he charmed the delegates by his fervent eloquence. Charles Stewart said this of him: "He had an impediment in his speech that was attractive rather than

a hindrance. He was concise in his statements and logical in his pleadings.''

Edwin Waller said: ''Among the speeches made before the Washington Convention, Mr. Pennington's speech in opposition to the proposed provision in the Constitution prohibiting preachers from holding office in the Republic, was one of the best. In the first place he had a good subject and it gave him an opportunity to appear at his best. I shall never forget how he began his address. He rose slowly, addressed the chair, looked over the delegates, up to the ceiling, hesitated, locked the fingers of his two hands together, put his foot on a bench setting before him, and began in a low voice. His attitude attracted the attention of all present. He proceeded slowly. His voice was mellow and musical. As he proceeded, he took his foot from the bench, unlocked his fingers and stood erect. His eyes flashed fire and his voice grew tremulous as he defended the work of the religious teachers from the day of Mt. Sinai. His speech did more than anything else to secure the adoption of a substitute for the original provision which was introduced by a member by the name of Crawford from Shelby district. Mr. Crawford was a Methodist Minister, an earnest advocate of religious tolerance, and also an opponent of the original provision of the Constitution for the new government we were forming. He opposed it in the Committee and brought his fight against it to the floor of the Convention.''

''Mr. Pennington,'' said Col. Stephen W. Blount, ''was a man of intelligence, modest, and reserved, but aggressive when aroused.''

Mr. Pennington was a public-spirited citizen, and took a keen interest in all questions of a public character, and when the Convention was called to meet at Old Washington, March 1, 1836, he offered as a delegate and was elected. When he reached Old Washington he was greeted cordially by a number of delegates who knew and appreciated his worth. Among them was Robert Potter, John S. Roberts, W. C. Crawford, Richard Ellis and George W. Smyth.

''While Mr. Childress was making the final draft of the Declaration of Independence,'' said Mr. William Menefee, ''Mr. Pennington was called into consultation, but he told the Committee that it met his hearty approval and needed but one change. He therefore supported the Committee report with vigor and signed the Declaration of Independence with pride.''

When the Convention began to select officers for the new

government he was a strong supporter of Mr. David Burnet for President and Mr. Lorenzo de Zavala for Vice- President. These men were selected. After the adjournment of the Convention Mr. Pennington returned to his home, after a short visit to the home of Dr. B. B. Goodrich, who was a delegate to this body from the Washington District. Dr. Goodrich was employed by the government to assist in the collection of provisions for the army. Mr. Pennington rendered valuable service in this necessary work.

After the battle of San Jacinto Mr. Pennington became a candidate for a member of the First Congress of the Republic. He was elected and took his seat and was appointed by Vice-President Lamar on several important committees. Records of this Congress show that he was an untiring worker and an ardent supporter of the government. After his retirement from Congress he returned to his home and refused further offers of public office.

I have been unable to secure any reliable information regarding Mr. Pennington's further career. Neither have I been able to secure information regarding the date of his death, though one chronicler states that he died in Sabine County about 1859.

Col. M. B. Menard, who was a delegate to the Washington Convention and who had spent some time among the Indians on the upper Brazos and Trinity Rivers, leaves this record of Mr. Pennington's visit to the headwaters of the Brazos. Of this Mr. Menard said:

"Mr. Pennington's account of his trip to the headwaters of Brazos river was most graphic and exciting. While on this trip he came in contact with several large bands of Indians. But he and his friends always met them as friends and provided them with little gifts which won their friendship. He was well armed and well equipped. Their supplies were strapped to pack-horses. Mr. Pennington carried with him a long range telescope through which he invited the Indians to look. They became greatly excited over it and each one in turn looked through it and as they did so made all sorts of hideous noises. The chief was charmed and looked upon him as a super man. He engaged the Indian children in games and taught them how to swim and became a great favorite with the squaws. He was urged to accompany the band on their hunt. This he did and was treated with great kindness. The hunting trip lasted two weeks and ended about

where the Brazos river enters the black land belt. During this trip the Indians were greatly interested in Mr. Pennington's taking notes of the country over which they passed.

"Mr. Pennington was a most entertaining conversationalist and his recital of the happenings of this trip greatly interested me. I had seen a portion of the country over which he passed but I did not see in it half the beauties he described.

"Mr. Pennington was a skillful draftsman and made many sketches of the country over which he passed."

I have been unable to locate Mr. Pennington's reports made of his visits to different sections of the country. However, in 1880 Mr. Charles Lesley Bannard, of Biardstown, Kentucky, furnished me copies of two letters written by him to Mr. Bannard's father in which he gave an interesting account of conditions in the Republic. One of these letters bore date of December 7, 1836, and the other June 28, 1837. These letters cover eight and twelve pages respectively and deal in a general way in describing the social and political conditions of the country. As strange as it may appear, he did not refer to himself or to the work in which he was engaged. He refers briefly to some of the public men of the Republic. Of some of them he said:

"Mr. Houston has a personal charm that attracts. He is a man of intellectual power, and is ambitious to establish a government that will stand as a monument to his labors. He has some bitter opponents but they have been unable to defeat him in his plans. The Whartons are noble fellows and have a strong following. Stephen F. Austin, of course you know. He often refers to your faithful friendship for Texas. He is a good man and means to do the right thing. The trouble formerly existing between him and Col. William Wharton has been amicably adjusted. Your old time friend Burleson is the ideal of the soldiery and has ambitions to become General Houston's successor. Mr. Lamar will be a candidate. I don't know who Mr. Houston will support. I am convinced that should he openly support Mr. Burleson it would make him the president. Your old friend Hunter (supposed to be W. L. Hunter of Goliad fame) continues to inquire about you. There is some talk of an invasion from Mexico, but it is my candid opinion that there will be none. I feel that the war is over forever. Our only danger comes from Indian raids. The Cherokees claim to be our friends, but evidence is accumulating that leads me to doubt them. I wrote you regarding Captain Millard's conduct at Velsaco. I still have faith in him. He is true to the core. About lands I will say this: It is a good investment, nevertheless."

DR. WILLIAM MOTTLEY

Signer of the Texas Declaration of Independence

Early Life in Kentucky—Studies Medicine—Came to Texas in 1835—Delegate to the Convention at Old Washington, March 1, 1836—Joined General Houston's Army—Killed in the Battle of San Jacinto.

Dr. William Mottley gave his life in defense of the principles of righteousness and civil and political liberty. He joined his compatriots at Old Washington, March 1, 1836, in the pledge that Texas should ever afterwards remain free of Mexican despotism and he sealed this pledge with his death on San Jacinto Battlefield, April 21, 1836. When he fell, mortally wounded in the charge of the immortal Rusk's troops, brave hands bore him back to the camp and brave hands attempted to assuage his pains, but the fatal bullet of the enemy had done its deadly work and as the stars began to glitter in the Heavens he died a freeman's death. Heads were bowed and eyes were dimmed with tears; there was a hush, a silence as the attending surgeon spoke the simple words: "He is dead."

Of the eleven signers of the Declaration of Independence who participated in that epoch-making struggle of freemen against tyrants, Dr. Mottley was the only one of that valiant band upon whom cruel Fate laid its hand of death. When the news reached the colonists that Mottley was dead, there was great sorrow, for they had learned to esteem him highly for his sterling qualities of heart and head.

In his report of the battle of San Jacinto made by General Rusk to President Burnet, appears this sublime passage. "Dr. Mottley fell mortally wounded and soon after his spirit took its flight to join the immortal Milam and others in the better world."

In the hush of night the Texan dead were assembled together side by side under the shadows of a giant oak, wrapt in their winding sheet and given a military burial the following day.

"Dr. Mottley," said Colonel Blount, who became attached to him when a delegate to the Washington Convention, "was a young man of culture and refinement. He was quick of action and firm in his convictions. He was affable and pleasing in manner and speech and impressed us all as a man of courage and daring. He spoke with ease and clearness and was impressive in debate. When President Ellis made up his Committee to draft a constitution for the *Ad Interim* Government about to be organized, he appointed him on that Committee. He attended all the meetings of the Committee and gave substantial aid in the preparation of the Constitution which was adopted by the Convention."

Mr. Mottley was born in Virginia, April 9, 1812. His parents moved to Kentucky when he was but eight years of age. Here he was reared and educated. He was given a literary education in Transylvania University, that State, and then took a course in the study of Medicine, graduating in the spring of 1834. He came to Texas in 1835 and located at Gonzales. He at once became identified with the Texas Revolution against Mexico; and when a convention was called to meet at Old Washington, March 1, 1836, he was elected one of the delegates from the District of Gonzales. He took an active part in the proceedings of the Convention and when the Declaration of Independence was adopted he became one of its signers.

Immediately after the adjournment of the Convention he joined the army under General Houston and was Aide to General Rusk in the battle of San Jacinto. He fell mortally wounded in the first charge of General Rusk's troops and died soon after nightfall.

When Mottley County was created from Bexar County in 1876, it was named in honor of Dr. William Mottley, a signer of the Declaration of Independence and Martyr to Texas liberty.

From an article contributed to *The Comprehensive History of Texas* by Mrs. Adele B. Looscan, it is learned that to Judge J. S. Sullivan of Richmond, Texas, the State is indebted to the preservation of the spot where were buried the nine gallant soldiers who fell in the battle of San Jacinto.

"Until the beginning of the Civil War," said Mrs. Looscan, "this famous battlefield was yearly resorted to by numbers of people who gathered thither to celebrate the anniversity of the battle, by barbecue, speech mak-

ing, etc., in the style peculiar to the South. The graves, with the exception of that of Benjamin R. Brigham which had a substantial headstone, were marked by wooden stakes. They became decayed and the site of the graves was obliterated. When in 1879 Judge Sullivan began to interest himself in obtaining subscriptions for the purpose of placing a marble shaft over the place where the bodies lay, the grave of Benjamin R. Brigham was alone recognized by the slab which marked it. The others were known to be situated in a row adjacent. A number of subscriptions having been obtained in Galveston, Houston, Richmond and other points in the State, a small shaft called the Brigham-San Jacinto Monument was erected over Mr. Brigham's grave in 1881. It is tasteful and the subscription thereon reflected credit upon the judgment of its designer. It served a sacred purpose in thus preserving from oblivion hallowed ground, but is not of proportion grand enough to mark the field of San Jacinto.

"In 1883 the Eighteenth Legislature, through the Commissioners of Harris County, bought the ground on which the monument had been placed, the number of acres purchased comprising ten, are situated near the confluence of Buffalo Bayou and San Jacinto River and near the place where the Texan army camped and from which they made their victorious attack upon the Mexicans, April 21, 1836.

"The Brigham-San Jacinto Monument is a plain square spire with a pediment cap, moulded base and chamfered sub-base. It is made of the best Rutland variegated marble, fifteen and a half feet high, which, with the base, stands seventeen feet high. The die is white marble, upon the west front of which is cut in bold relief the Lone Star of Texas, resting upon a nimbus and surrounded by a beautiful wreath, in still bolder relief, of oak and laurel leaves.

"Below is the name—

B. R. BRIGHAM

On the base—

San Jacinto

"Near the top of the shaft is a polished band upon which are cut two stars on each front, and one above the band on the west front. These reprerent the "Immortal Nine" who fell in the battle.

"On the south are the following words:

TWO DAYS BEFORE THE BATTLE

"This morning we are in preparation to meet Santa Anna. It is the only chance of saving Texas. From time to time I have looked for reinforcements in vain. We will only have about 700 men to march with besides the camp guard. We go to conquer. It is wisdom growing out of necessity to meet the enemy

now. Every consideration enforces it. No previous occasion would justify it. The troops are in fine spirits and now is the time for action. We shall use our best efforts to fight the enemy to such advantage as will insure victory though the odds are greatly against us. I leave the result in the hands of a wise God, and rely upon His providence. My country will do justice to those who serve her. The rights for which we fight will be secured and Texas free. Sam Houston."

And below this on the plinth:

"Remember Goliad"

On the north front of the die is the following:

"One Day After the Battle"

At camp on the Battlefield * * *. This glorious achievement was attributed not to superior force but to the valor of our soldiers and the sanctity of our cause. Our army consisted of 750 effective men * * * . The sun was sinking in the horizon as the battle commenced, but at the close of the conflict the sun of liberty and independence rose in Texas, never, it is hoped, to be obscured by the clouds of despotism. We have read of the deeds of chivalry and perused with ardor the annals of war; we have contemplated with highest emotions of sublimity the loud warring thunder, the desolating tornado and the withering simoon of the desert; but none of these, nor all, inspired us with emotions like those felt on this occasion. There was a general cry which pervaded the ranks, "Remember the Alamo! Remember Goliad!" These words electrified us. Onward was the cry. The unerring aim and the irresistible energy of the Texan army could not be withstood. It was freemen fighting against the minions of tyranny, and the result proves the inequality of such a contest. T. J. Rusk.

And below on the plinth:

"Will you come to the Bower?"

(The air to which the Texans marched to fight.)

On the east upon the cap:

"Dead upon the Field of Battle"

Upon the die below as follows:

This monument is placed at the grave of Benjamin Rice Brigham who fell at the battle of San Jacinto, April 21, 1836. Eight others fell with him whose remains rest near his. Their names are as follows:

GEORGE A. LAMB
DR. WM. MOTTLEY
A. R. STEVENS
OLWYN J. TRASK
LEMUEL STOCKTON BLAKEY
MATHIAS COOPER
THOS. P. FOWLE
J. C. HALE

Below on the plinth:

"Remember the Alamo"

"This stone is placed here to mark the spot where these heroes sleep, and to perpetuate a knowledge of their names and deeds in coming generations, by the voluntary contributions of private citizens of Texas, 1881."

This is the only monument in the State of Texas commenorating the name and patriotic services of William Mottley, a signer of the Texas Declaration of Independence who died for the principles annunciated in that great document. It is true that one of our good counties bears his name, but this is not enough. The good people of Mottley County should erect to his memory a fitting monument as evidence of their appreciation of his services, sacrifice and death, a martyr to the cause of liberty.

CHARLES S. TAYLOR

Signer of the Texas Declaration of Independence

Birth and Education—Came to America—Located in Nacogdoches—Delegate to the Conventions of 1832, 1833 and 1836—Chief Justice of Nacogdoches County—Soldier in the Battle of San Jacinto.

Charles S. Taylor was one of the most prominent of the early settlers in Eastern Texas, both prior to and after the Texas Republic was formed. He was prominently identified with many of the thrilling events of early Texas history and so much has been written regarding his career that borders on romance that it is difficult to separate the grain from the chaff. Unfortunately we have always had in Texas men, who in writing of historical events, have shown more interest in the romantic than in the historic, and their inaccurate statements have caused no end of confusion.

In the preparation of this sketch I have accepted the statement of men who were familiar with Mr. Taylor's career, some of whom were associated with him in his early life, and some in later years. His son, Mr. Lawrence S. Taylor of Nacogdoches, some years ago wrote an interesting sketch of his father. Dr. J. E. Mayfield, formerly of Nacogdoches and now of San Antonio, who knew Mr. Taylor intimately for many years in Nacogdoches and who is a painstaking chronicler of early Texas history, has furnished me many facts regarding Mr. Taylor's eventful career. I have utilized the facts as presented by these two distinguished gentlemen in the preparation of this brief life-story of Charles S. Taylor.

Mr. Taylor led a checkered career. He was in the midst of many stirring events of early Texas history. He was bold and aggressive and full of the spirit of patriotism. As a citizen, soldier and advocate at the bar, official and councillor, he was always firm, but not always merciful. He occupied many positions of trust and responsibility and he performed the duties devolving upon him with faithful fidelity.

The second mention of Mr. Taylor by our early historical Chroniclers, of which we have been able to find, was that of Colonel Alexander Horton of San Augustine. He tells us that when the Texas volunteer soldiers, from San Augustine, were marching on Nacogdoches, in 1832, to drive the Mexican garrison from that place, they were joined by several young men, among whom was Charles S. Taylor. These volunteers attacked the Mexican garrison, drove them from Nacogdoches and followed them to the Angelina River where they surrendered.

Charles S. Taylor was born of wealthy parents in London, England, in 1808. His parents died when he was a child, and he was raised by an uncle who placed him in a school of high learning. He studied law and was prepared to enter into practice. A short time after reaching legal age he drew the money left him by his parents and sailed for New York. Previous to this period relatives of his father had settled in America and had become fixtures in the country. From this family sprung many men who became famous in American history. His relatives settled in New York. Among their descendants was John W. Taylor, who served twenty years in the United States Congress, March 4, 1813, to March 3, 1833, and was speaker of the House in the Eighteenth and Nineteenth Congresses.

Mr. Taylor remained a short time in New York visiting relatives and friends and familiarizing himself with American laws, then set out for the South, locating at Natchitoches, Louisiana. After remaining there a short time he purchased a horse and started to Nacogdoches. Before reaching Nacogdoches his horse died and he walked the balance of the way, carrying his baggage with him. On reaching Nacogdoches he made his home with Adolphus Sterne who had married his sister. Here Mr. Taylor met Miss Mary Rouff, a daughter of John R. Rouff, an immigrant from Weeremberg, Germany, whom he shortly afterwards married. He joined his brother-in-law, Adolphus Sterne, in the mercantile business. After a short time he quit the mercantile business in Nacogdoches and with his family located at Ayish Bayou, which community became San Augustine. There he be-

came an alcalde under the government of Coahuila and Texas. He later returned to Nacogdoches, and in 1834 was appointed Land Commissioner to issue land titles to the colonists, his official place of business being Nacogdoches. He collected from the colonists quite a sum of money which he dispersed by direction of the Committee of Vigilance and Safety at Nacogdoches.

Mr. Taylor was a delegate to the Convention of 1832, from Nacogdoches, and was appointed on the committee formed to draft a petition to the Federal Government of Mexico regarding the repeal of the Decree of 1830 and establish a separate state for Texas. This committee was composed of the following delegates: Charles D. Sayre, Chairman; James Morgan, Jared E. Groce, Charles S. Taylor, and John K. Looney. Henry S. Brown, Geo. B. McKentry and John Austin were later added to this committee.

Mr. Taylor was appointed on the committee to recommend action regarding land matters east of the San Jacinto; on the committee to urge the passage of laws authorizing the use of the English language in all transactions and obligations; on the committee to memoralize the Government of Coahuila and Texas on the question of land grants to Indians so as to remove anxiety manifested among them, and on the Committee to inquire into Indian affairs of Texas and to adopt some plan for the protection of the frontier.

Mr. Taylor was also elected a delegate to the Convention of 1833 and took a leading part in its deliberation. He manifested the same keen interest in the question of forcing a separate State for Texas and the abrogation of the Decree of 1830 as shown in the Convention of 1832. He was outspoken in his opinion, that the memorial passed by this Convention would meet the same fate as that of 1832.

He was also a delegate to the Convention called to meet at Old Washington, March 1, 1836. He attended the Convention and expressed to all, with whom he came in contact, the belief that the Convention should declare Texas independent of Mexico, and in discussing this question, privately and publicly, said: "The

last hope of Texas is in a total separation from Mexico and an appeal to the liberty-loving people of the United States for sympathy and support.''

When this Convention adopted a Declaration of Independence he became one of its signers. ''Soon after the adjournment of this Convention Mr. Taylor joined General Houston's army and participated,'' said his son, Lawrence Taylor, ''in the battle of San Jacinto.'' His family remained at Nacogdoches until Santa Anna's army reached the vicinity of Harrisburg, when he joined the historic ''runaway scrape'' and fled across the Sabine River into Louisiana, where all their children died from exposure and hardships endured incident to this flight.

''Mr. Taylor was appointed,'' said Lawrence S. Taylor, ''the first Chief Justice of Nacogdoches County and in conjunction with the County Commissioners settled, by sale, all lots within the old corporate limits under Spanish and Mexican law and claimed by the Texas Government as vacant domain, as successor to those governments. He was later appointed District Attorney for the district including Nacogdoches, and did good work in protecting the public domain of Texas from the numerous land sharks, so called, at that time, as also from the criminals, large and small. Later he was appointed by the State of Texas, a Commissioner to investigate and report the legal status of land grants on the Rio Grande border; and after his return from that mission he sent two of his sons, Charles Travis and Milam, to that section as rangers in the service of the State. This was in 1860.''

Mr. Taylor was Chief Justice of Nacogdoches County during the war between the States. His sons, Charles Travis, Milam, Lawrence, William and Adolphus, all joined the Confederate army at the breaking out of the war in 1861. William died in service, Lawrence was severely wounded in the battle of Mansfield. He was confined to the hospital at Mansfield, but his father visited the hospital and carried him to his home in Nacogdoches. He recovered from his wound and still lives in Nacogdoches and is highly esteemed. He married a daughter of Dr. Robert A. Irion, a Senator in the First Congress of the Republic of Texas, and, in 1837, Secretary of State in President Houston's Cabinet. Dr. J. E. Mayfield of San Antonio, who was long a resident of Nacogdoches and who knew Charles S. Taylor intimately,

has furnished me this interesting sketch of Mr. Taylor's personality:

"Charles S. Taylor was somewhat of an oddity. He was small in statue and weighed about 135 pounds, being about five feet, eight inches, in height. In walking he was inclined to lean forward and had the pose and appearance of thoughtfulness. Socially he was jolly in a droll way and fond of a joke. He was generally called Judge Taylor, because he was County Judge of Nacogdoches County many years. He was a scholarly lawyer, solid and firm officially and otherwise. His associates always had great respect for him. He was patriotic and public spirited. During the war (1861-65) he issued and signed a large amount of County script, known as "skin plasters." His handwriting was inimitable. He understood Spanish and French, and his native English was perfect."

Mr. William Menefee, who served in the Conventions of 1832, 1833 and 1836 with Mr. Taylor, said this of him:

"Mr. Taylor though an Englishman by birth, had an Irish wit that pleased us all. He was a man of great firmness and good judgment. He was quick in action, alert and earnest in presenting his ideas. If he failed to convince one of the correctness of his views he never lost his temper, but replied with a witticism that sometimes cut to the bone. He was sincere, so manly and so earnest that we all respected him even though we differed from him."

Mr. Taylor's patriotic services to the Republic and State entitle his memory to our esteem and reverence.

JAMES G. SWISHER

Signer of the Texas Declaration of Independence

His Early Military Career—Came to Texas in 1833—Led a Company at the Storming of San Antonio—Was on Committee to Receive General Cos' Terms of Surrender—Delegate to the Convention at Old Washington, March 1, 1836—Moved to Austin—Death.

James G. Swisher was a man of education and refinement, as well as of boldness and daring. His third of century residence of Texas was spent in useful employment. The first few years of his residence in the State were spent largely in military service. He was an active participant in repelling bands of Tehaucanas, Wacos and Commanche Indians who made frequent raids upon the settlements in Robertson's Colony, in which he had located on coming to Texas with his family early in 1833.

When Mr. Swisher arrived in Texas everything looked favorable to the struggling colonists. Santa Anna, the victorious champion of Republic principles, was to be inaugurated President of the Mexican Republic in April. And as he had pledged the restoration of the Federal Constitution of 1824, the colonists believed that an era of peace and prosperity was on its way. The colonists held the Mexican flag in real affection. It was their belief that the despotic principles of Bustamente had forever been tramped in the dust. They thought that their only enemy was the savage Indians, with their cruel hate of the American settlers. As a consequence they gave more attention to their control than to any other programme affecting the colonists, and organized to drive them back, and to punish them for their many crimes.

Mr. Swisher had almost reached middle age when he came to Texas. Many years of his life, in Tennessee, had been spent out of doors, either in the surveying of lands or in military service, as at that period savage tribes of Indians made frequent raids on the white settlements and committed theft and murder. Expelling Indian raids was no new experience to him. "The best

training I ever received,'' he said, ''was while following the trail of the Indians who fell upon the settlers in Tennessee and drove off their live stock, destroyed their property and in many instances, committed murder.''

When the Revolution broke out in 1835 and Colonel Austin marched with his little army to San Antonio to capture that stronghold from the Mexican invaders, Mr. Swisher organized a military company, of which he was elected Captain, and hastened to join Austin at San Antonio. He joined Milam in his impetuous charge against the Mexicans and made a record for bravery equal to any of that valiant band of heroes. His company formed a part of the Second Division of the Army, which took possession of the Veramindi House and was fighting beside the brave Milam when he fell. So gallantly did Captain Swisher and his Company conduct themselves that they were commended by General Burleson in his official report to Governor Smith.

When General Cos saw his defeat was inevitable and let it be known that he was ready to surrender, Captain Swisher, F. W. Johnson and Robert C. Morris were appointed by General Burleson to meet the Mexicans and agree on terms of capitulation. Terms of capitulation were agreed upon and signed on December 11, 1835. They were as follows:

CAPITULATION ENTERED INTO BY GENERAL MARTIN PERFECTO DE COS, OF THE MEXICAN TROOPS, AND GENERAL EDWARD BURLESON, OF THE COLONIAL TROOPS OF TEXAS.

''Being desirous of preventing further effusion of blood and the ravages of civil war, we have agreed on the following stipulations:

1st. That General Cos and his officers retire with their arms and private property into the interior of the republic, under parole of honor; that they will not in any way oppose the re-establishment of the Federal Constitution of 1824.

2nd. That the one hundred infantry lately arrived with the convicts, the remnants of the battalion of Morelos, and the cavalry, retire with General Cos; taking their arms and ten rounds of cartridges for their muskets.

3rd. That General Cos take the convicts brought in by General Ugartechea, beyond the Rio Grande.

4th. That it is discretionary with the troops to follow their General, remain or go to such points as they may deem proper; but in case they should all or any of them separate, they are to have their arms, etc.

5th. That all the public property, money, arms and munitions of war be inventoried and delivered to General Burleson.

6th. That all private property be restored to its proper owner.

7th. That three officers of each army be appointed to make out the inventory and see that the terms of capitulation be carried into effect.

8th. That three officers on the part of General Cos remain for the purpose of delivering over the said property, stores, etc.

9th. That General Cos, with his force, for the present occupy the Alamo; and General Burleson, with his force, occupy the town of Bexar, and that the soldiers of neither party pass to the other armed.

10th. General Cos shall, within six days of the date hereof, remove his force from the garrison he now occupies.

11th. In addition to the arms before mentioned, General Cos shall be permitted to take with his force a four-pounder and ten rounds of powder and ball.

12th. The officers appointed to make the inventory and delivery of the stores, etc., shall enter upon the duties to which they have been appointed, forthwith.

13th. The citizens shall be protected in their personal property.

14th. General Burleson will furnish General Cos with such provisions as can be obtained, necessary for his troops to the Rio Grande at the ordinary price of the country.

15th. The sick and wounded of General Cos' army together with a surgeon shall be permitted to remain.

16th. No person, either citizen or soldier, to be molested on account of political opinions hitherto expressed.

17th. That duplicates of this capitulation be made out in Castilian and English and signed by the Commissioners appointed, and ratified by the Commander of both armies.

18th. The Commissioners, Jose Juan Sanchez, adjutant-inspector; Don Ramon Musquez and Lieutenant Francisco Rada, and Interpreter Don Miguel Arciniego, appointed by the Commandant and Inspector-General Martin Perfecto de Cos, in connection with Col. F. W. Johnson, Major R. C. Morris and Captain James G. Swisher, and Interpreter John Cameron, appointed on the part of General Edward Burleson, after a long and serious discussion, adopted the eighteen preceding articles, reserving their ratification by the Generals of both armies.

In virtue of which we have signed this instrument in the City of Bexar on the 11th of December, 1835.

(Signed) JOSE JUAN SANCHEZ
RAMON MUSQUEZ
J. FRANCIS de RADA
MIGUEL ARCINIEGO, Interpreter.

F. W. JOHNSON
ROBERT C. MORRIS
JAMES G. SWISHER
JOHN CAMERON, Interpreter.

I consent to and will observe the above articles.

(Signed) MARTIN PERFECTO DE COS.

Ratified and approved.

(Signed) EDWARD BURLESON,
Commander-in-Chief of the Volunteer Army.

Captain Swisher remained in the army until elected a delegate, February, 1836, to the Convention called to meet at Old Washington, March 1, 1836. He attended this Convention and took an active part in its proceedings. When the Convention adopted the Declaration of Independence and a Constitution for the new Government, he signed both instruments.

"I knew Mr. Swisher well," said Mr. Waller when questioned regarding him. "I knew him and his son John before I met the elder Mr. Swisher at Old Washington in 1836. He was a man of large frame and must have weighed over two hundred pounds. He looked like a man of forty years, rather quiet in manner but social and pleasant when you once knew him. He impressed us all by the frequent questions he asked. 'What are we going to do? Are we going to organize? How are we to finance ourselves?' were some of the questions I remember distinctly he asked. Mr. Swisher was outspoken in advocacy of a large army. He favored a large bounty to those who joined the army and took part in defending the Country against its enemies. He called attention to what he considered irregularities in issuing land certificates and favored a close scrutiny of all claims presented. 'From our lands,' he said, 'we must secure our credits and revenues and they should not be squandered or passed to those not entitled to them.' His persistent reference to this matter had its influence in the adoption of the land policy."

"Mr. Swisher," said Mr. Menefee, "was a man full of vigor and energy. He was sincere and conscientious, as brave as the bravest."

Owing to his assignment to other duties Mr. Swisher did not participate in the battle of San Jacinto although he had a son whom he equipped who was a participant in that conflict. This son, John M. Swisher, became a prominent and useful citizen of the Republic and State.

James G. Swisher was born in the territory of Tennessee in 1795. He was reared and educated in the best schools of that State. He was from a good family. His father took a prominent part in the organization of Tennessee when it was admitted to the Union, June 6, 1796.

Soon after Austin became the Capital of the Texas Republic, Mr. Swisher made that place his home. The old Swisher homestead was for years a show place in Austin. He died there in 1869, esteemed by all who knew him.

"Mr. Swisher," said Ex-Governor F. R. Lubbock, "was a true type of that brave, hardy and industrious group of men who came to Texas in the early thirties. He lived a life of usefulness and honor and his death was lamented by us all."

When Swisher County was created from Bexar land District in 1876, it was named in honor of James G. Swisher, an early pioneer and signer of the Declaration of Independence.

JAMES POWER

Signer of the Texas Declaration of Independence

Came to Texas in 1827—Associated with Dr. Hewiston in empresario Contracts—Member of the General Council —Delegate to the Convention Which Met at Old Washington, March 1, 1836—Commissioner to Meet General Mexia—Commissioner to Treat with Indians in 1838—Member Second Congress of the Republic—Member Annexation Convention 1845—Death.

Mr. Power was a most valuable and useful citizen of the Republic and State. He rendered valuable services along several lines of endeavor and won and held the respect and esteem of the Colonists, because of his constant labors in their behalf. He was a strong and intelligent supporter of the Texas Revolution and was a participant in the capture of the Mexican post of Lipantitlan in the fall of 1835.

Mr. Power was a native of Ireland. He was born in 1788. He came to America when a young man, and to Texas from Tennessee, in 1827. In association with another of his own nationality, Dr. James Hewiston, he secured an empresario contract from the Mexican State of Coahuila and Texas, to settle 200 families on lands bordering on Arkansas Bay in the territory now known as Refugio County. This grant embraced twelve shore leagues of land. The center of this land was the old Refugio Mission, which was the seat of a small Mexican population before Mr. Power's settlers began to arrive.

Regarding this old Mission, Dr. Beales, head of an English Colony, who visited it early in 1835, says:

"The Mission Del Refugio is prettily situated but has gone to ruin * * * * . The Missions have now become desolate. The present one was sacked by the Comanches a few years since. There are at present five or six miserable huts, built and inhabited by as many Irish families, brought to the country by the Empresario, Mr. Power, who could not properly locate them in consequence of his dispute with respect to the boundaries of his lands."

Most of the families brought in by Mr. Power were Irish families. The records show that they began arriving in 1829. In

1835 this settlement received the designation of the "Municipality of Refugio."

In 1830 Power and Hewiston secured a contract to settle two hundred families between the Guadalupe and Nueces Rivers. Later Mr. Power secured a contract in his own name to settle families between Coleto Creek and the Nueces River.

When the call was issued for a Consultation to meet in San Felipe in the fall of 1835, three delegates were elected to that body from the Municipality of Refugio, but these delegates were with the Company of Texans who captured the Mexican post of Lipantitlan, on the Nueces River above San Patricio, and hence did not take part in that Convention. At least two of them, Mr. Power being one, went to San Felipe and took their seats as members of the General Council, an executive body created by the Consultation. As a member of that body, Mr. Power openly opposed the appointment of members of the Council to responsible positions of trust and emolument, and offered the following reslution:

"Resolved, that no member of this Council shall be eligible to any office created by them while members of the Council nor three months after they vacate their seats as members."

The records of the proceedings of the General Council show that this resolution was promptly "ordered to lie on the table" and when it was called up it was defeated by a vote of eight to seven. It will be recalled that the Council created several offices of trust and emolument which were filled by appointment of members of its body. This action on the part of the Council was one of the acts condemned by Governor Smith in his terrible arraignment of that body in his famous message of January 9, 1836. Mr. Power was a steadfast supporter of Governor Smith, and the Commander-in-Chief of the Army, General Sam Houston.

When a Convention was called to meet at Old Washington, March 1, 1836, Mr. Power was elected one of the delegates from the Municipality of Refugio. He was a prominent participant in the proceedings of this Convention and exercised a potent influence. Because of his recognized loyalty to Governor Smith

while serving as a member of the Council, he was consulted as to what course the Convention should take regarding the differences between Governor Smith and the Council. He advised the ignoring altogether of the acts of Lieutenant-Governor Robertson in his assumption of authority as Governor. Mr. Power's advice was followed and order soon took the place of chaos.

Regarding Mr. Power's position on this question, Mr. Edwin Waller said:

"Before Mr. Power and Mr. West were called before a conference of about a dozen delegates considering this question, just what course to pursue was a debatable one; but when he and Mr. West explained the attitude of different members of the Council and briefly reviewed the incidents leading up to the breach, there was a fixed determination to proceed as if nothing of unpleasant nature had occurred, and to recognize Governor Smith as the legal executive. Mr. Power was calm and deliberate in his statement and offered no criticisms of those from whom he differed. His stand was that of a patriot seeking peace and harmony. Mr. West had signed the charges against Governor Smith. When his opinions were sought he simply said, 'That is the best way out of an ugly situation. I will not offer protest.'"

Mr. Power was appointed on the committee to draft a Constitution for the new Government about to be established. He had fixed his name to the Declaration of Independence and was ready to make any sacrifice to free the Colonies from Mexican despotism.

While a member of the Council, General Mexia arrived in Texas from his expedition against Tampico and Mr. Power was appointed by the Council to offer him aid in his proposed trip to San Antonio. Mr. Power proceeded to Columbia and had a conference with General Mexia. On December 17, 1835, he submitted the following report to the Council of his visit to General Mexia. He said:

"I have called on General Mexia at Columbia. He has declined to go to Bexar to join our people. His object is to go to Copano to join two hundred Mexicans who are at Palo Blanco; and from thence to take Matamoras if possible. Mr. Fisher, who is acting Secretary to the General, stated to me that the General could not place his military character at stake by accepting a command under the Provisional Government of Texas, as Mr. Viesca is not Governor. I further understood that General Mexia will be

here in a short time with a view of seeing the Governor and Council, in hopes that they will place armed vessels to blockade the ports of Vera Cruz and Tampico, and order all vessels bound for said ports to Matamoras, where they can discharge their cargo, as there seems to be no doubt as to the latter port falling into the hands of the liberal party. Mr. Fisher further stated that he was bearer of dispatches to General Mexia, that in February next there is a general plan of revolutionizing all over Mexico. Under these circumstances, I thought it most prudent to return and inform the Council, and subject myself to their further orders on the subject.''

''JAMES POWER.''

In 1838 Mr. Power was appointed Chief Commissioner to enter a treaty agreement with the Lipans tribe of Indians. The meeting was set for January 18, 1838, at Live Oak Point. The Lipan Chiefs to take part in this agreement were Culegasde and Castro.

In making this treaty Mr. Power showed great courage and judgment. He was a man of wonderful personal magnetism and drew men to him like a magnet. Mr. Power continued his public spirit and was a member of the Second Congress of the Republic. He was also a member of the Annexation Convention of 1845. He died at his home in Refugio County in 1853, honored and respected by all the people. His name and deeds of courage and patriotism deserve our grateful remembrance.

ROBERT POTTER

Signer of the Texas Declaration of Independence

Early Life—Joins the Navy—Studied Law—Member House of Commons—Member Twenty-first United States Congress—Came to Texas in 1835—Delegate to the Convention Which Met at Old Washington, March 1, 1836—Secretary of the Navy in Burnet's Cabinet—Member Fifth and Sixth Congresses of the Republic—Murdered by Moderators in Caddo Lake.

Mr. Potter was one of the most brilliant and gifted men of that galaxy of patriots who were called to Old Washington in 1836, to fix the status of the Republic. He was not a stranger to public service, as he had served with distinction in the Congress of the United States before coming to Texas. He was familiar with parlimentary rules and greatly assisted President Ellis of the Convention of 1836, in reaching correct conclusions, when questions of parlimentary order baffled him. He was a ripe scholar and an eloquent orator.

When the news of Mr. Potter's death reached David Burnet, he said: "I am not surprised by his death but I am shocked by the cruel method employed by his enemies to end his career. He was bold in speech and action and his enemies—the Moderators—both feared and hated him. Had he been permitted to live, he would have rendered great service to the Republic. He was a patriot, without diplomacy to guide him in his personal likes and dislikes. He possessed a warm heart, but was fearless in expressing opinions regarding the acts of men who were antagonists."

Senator J. A. Green, who served with Mr. Potter in the Fifth and Sixth Senates, said of him:

"His death from the assassin's bullet was a calamity to the young Republic. During the Fifth and Sixth Senates I had opportunities to learn something of his real character, ability, and value to his country. I regarded him as a man of big heart, big brain and big ideas. He was a faithful representative of his constituents and a loyal supporter of the Government. He studied its needs and was vigilant in his efforts to give strength to its policies. He often differed from his colleagues in the Sen-

ate, but he was never resentful when his views were not endorsed by them. He one time said, after a heated debate in which his views were opposed, 'That is what I think about it, but it appears I am wrong, or the Senators would sustain me. Let's see if we can't compromise. I still think my suggestions the best.' And he got about what he wanted. While in the Senate, Mr. Potter kept in constant touch with public opinion and was largely actuated by it. He was a sincere and laborous worker and after the lapse of ten years, I have come to the conclusion that he was more often right than wrong.''

Others who served in the Senate with Mr. Potter have expressed similar opinions regarding his course in that body.

Mr. Potter was born in Granville, North Carolina, January 9, 1800. He was kept in school until he was sixteen years of age, when he joined the Navy as Midshipman. He served in the Navy four years, when he returned home and studied law. He was soon admitted to the bar and located at Halafax, North Carolina, where he entered upon the practice of his profession. Being a young man of extraordinary intellectual powers, he soon won fame. In 1826 he was elected a member of the North Carolina House of Commons. He was re-elected in 1828. In the fall of 1828 he was elected a member of the Twenty-first United States Congress.

Mr. Wheeler, in his History of North Carolina, says that Mr. Potter was re-elected a member of the Twenty-second Congress without opposition and that before the expiration of his term in this Congress, he was accused and convicted of maiming two relatives of his wife and was sentenced to six months imprisonment and assessed a fine of two thousand dollars. The Congressional Directory of the Twenty-second Congress does not show that he was a member of that Congress. Mr. Wheeler further states that two years passed before Mr. Potter was released; that he then returned home and the people showed their vindication of his course by electing him to the State Legislature of North Carolina in 1834; but that he again encountered difficulties and trouble, and hearing the distant mutterings of a Revolution in Texas, he hastened to Texas.

Mr. Potter did not come to Texas until 1835. He settled at Nacogdoches. He had not long been in the State before he was

elected a delegate to the Convention which met at Old Washington and framed the Declaration of Independence. Mr. Potter was a signer of this instrument.

When the *ad interim* government was established, he was elected Secretary of the Navy.

After the capture of Santa Anna, following his defeat in the Battle of San Jacinto, and when the Cabinet was considering his disposition, Mr. Potter favored his execution. He served in the Cabinet until the inauguration of President Houston. He then moved to the territory now covered by Marion County and settled on a headright grant of 4,605 acres of land, located on Caddo Lake. He soon became involved in the feuds of the Regulators and Moderators, but in spite of this he was elected a member of the Senate of the Fifth and Sixth Congresses of the Republic. After the adjournment of the Sixth Congress, he returned to his home and on March 1, 1842, his house was surrounded by a band of Moderators. He attempted to escape into the lake by diving into its waters, but as he came to the surface the unerring aim of his enemies reached its mark and he sank a corpse.

When Potter County was created from Bexar County in 1876 it was named "in honor of Robert Potter, a distinguished citizen of the Republic of Texas and signer of the Declaration of Independence."

ELIJAH STAPP

Signer of the Texas Declaration of Independence

Early Life—Came to Texas in 1825—Took Prominent Part in Affairs Effecting the Colonists—Member Washington Convention—A Most Useful Citizen.

Elija Stapp was born in Virginia in 1783. Here he was reared and given a liberal education. He started out in life to follow a business career. When Missouri was erected into a territory in 1816 he moved to that territory and and re-entered business as merchant trader. He was quite successful, but possessing the spirit of the wild he soon became restless, after learning of the opportunities in the then Mexican State of Texas. He came to Texas in 1825 and settled in DeWitt's Colony. He very soon formed the acquaintance of the leading men who at that early day had preceded him to Texas, and was highly esteemed for his splendid character.

In discussing Elijah Stapp and others who came to Texas and settled in DeWitt's Colony previous to the Texas Revolution, John Henry Brown pays them a high compliment when he said: "It was my privilege afterwards to know most of these people personally; to serve in defense of the Country with more than a dozen of them; to sit in the councils of State with several; to enjoy the fireside hospitality of most of them, and it is a pleasure, heartfelt and profound, to say that, so far as my knowledge extends, not one of them ever lowered the standard of good citizenship or proved recreant to the call of patriotism; that they were bravely represented in many battlefields and honorably so in the councils of the country from the first assemblage in 1832 for a quarter of a century following. Beyond this, their matrons models of propriety and hospitality; their daughters ornaments to any society in which intelligence, combined with maidenly modesty and purity, are held essential to respect and esteem. This is said in no fulsome sense, but just as a tribute to virtue and patriotism."

Mr. Stapp was a loyal defender of the colonists and anything that disturbed them disturbed him. He saw in the gradual en-

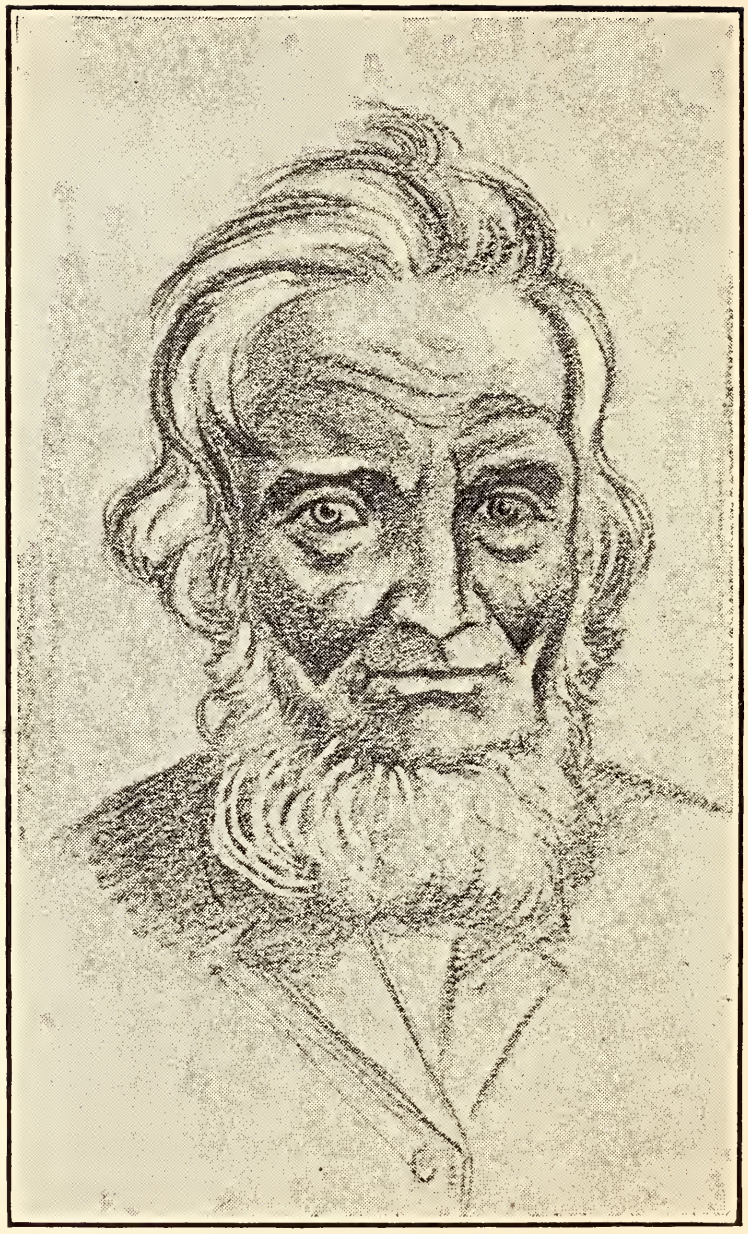
croachments of Mexico military power in Texas a lurking danger to the peace and quiet of the colonies. When the settlers of Navadad and Lavaca held their meeting July 17, 1835, to express their views regarding the pending questions agitating them and to arouse resistance to Mexican tyranny, Mr. Stapp attended the meeting and took a leading part in its proceedings. The records of that meeting are preserved among our historic archives and occupy a conspicuous page in the State's history. This meeting was held previous to the Consultation Convention and had its influence in shaping the destinies of that Convention. When the convention was called to meet at Old Washington, March 1, 1836, Mr. Stapp was requested to offer for election as a delegate. He acceded to the request of his neighbors and was elected. A few days before the date for the convening of this convention he joined other delegates to the convention and made the trip on horseback, going via San Felipe where he remained over night, joining other delegates there. Among these delegates was Thomas Barnett, who afterwards gained fame as a Senator of the Republic. "On our trip to Old Washington," said Mr. Barnett, "we rode leisurely, chatting though in a solemn vein. We all realized the seriousness of our mission. We were all agreed on one point, and that was that the time had come when we should declare in emphatic terms against longer tolerating Mexican tyranny. We had been advised that Santa Anna was massing his forces to invade the State and we were eager to organize to meet him. Words were cautiously spoken because none of us desired to impress upon our companions that we were blood thirsty. We had faith in the wisdom of the delegates we knew would assemble."

On reaching Old Washington Mr. Stapp sought to meet the delegates from the different sections of the State that he might be able to learn the general character of the delegation, and to discuss with them the work before them. This is confirmed by Mr. Waller and Mr. Menefee. Regarding Mr. Stapp. Mr. Waller said: "Elijah Stapp mingled with the delegates as they arrived and asked many questions regarding conditions in the different

parts of the State. He had an idea that a programme had been mapped out and he expressed an earnest desire to know what it was.'' Mr. Menefee said: ''Mr. Stapp was an enthusiast and in mingling with the delegates he impressed all by his earnestness.''

I have been unable to secure reliable data regarding Mr. Stapp's career immediately following his fixing his signature to the Declaration of Independence. He subsequently moved to San Antonio. Here he left his impress, as one of the public schools was named in his honor.

The only record we have of the date of his death is that of William Neal Ramey who said: ''Mr. Stapp was a most useful citizen of Texas from the date of his arrival in 1825 to his death in 1872.''



WILLIAM MENEFEE

WILLIAM MENEFEE

Signer of the Texas Declaration of Independence

Early Life—Came to Texas in 1830—Member of the Conventions of 1832 and 1833—Member of the Consultation of 1835—On the Committee to Prepare an Address to the Public—First Judge of Jurisdiction of Colorado—Delegate to the Convention at Old Washington, March 1, 1836—Member of Second, Third, Fourth, Fifth and Ninth Congresses of the Republic—Commissioner to Locate Capitol—Member Legislature—Death in 1875.

In writing this sketch of William Menefee, I beg to indulge in personal reminiscences. Mr. Menefee was one of the few signers of the Declaration of Independence with whom I became acquainted and from whom many valuable unpublished records of Texas history and biography were secured. My meeting with Mr. Menefee was not accidental. Its place and date were arranged by Mrs. Fannie A. D. Darden, whose memory I hold in grateful remembrance. She was a daughter of Captain Mosely Baker, whose distinguished services to the Republic won the gratitude of a grateful people. She was proud of the prowess of the early Texas pioneers and was never as happy as when hearing them relate accounts of their experiences during the turbulent days of the Republic's making. Mrs. Darden had arranged a great surprise for me. She had planned for Captain R. J. Calder to join Mr. Menefee and myself at her palatial home in Columbus, to spend the week end recalling to mind early Texas history. From these intelligent and enthusiastic pioneers, I drank deep of the inspiration which made the Texans invincible when dealing with the foe. Mr. Menefee was nearing his eightieth birthday, but his mind was as clear as a bell. I shall never forget the lustre of his eyes as he answered my questions and gave minute accounts of events in Texas history of which little is known to the average student of historical events. It was in 1875, but a short time before his death. I had left my home to enter the University, but I could not resist the invitation so kindly extended me to visit with him and hear from his own

lips, details of events which greatly interested me. It is an honor to have known and grasped the hands of men who were instrumental in blazing the way for civilization and wresting this fair land of Texas from its despoilers.

Mr. Menefee was one of the big men of the Republic; big in words and deeds; a patriot, statesman and diplomat. And as I now view him after forty-eight years have intervened since I bade him farewell under the dripping boughs of a giant oak in Columbus, I conclude that the following tribute to him by his personal friend, E. M. Pease, who afterwards was elected twice Governor of Texas, is a just compliment to his character. Of him Mr. Pease said: "Mr. Menefee was a man of sterling qualities. He was strong mentally, physically and morally, and was a leader in thought and action. As a speaker he was persuasive, but seldom eloquent; as a law-maker, he was conscientious and sincere. He had few equals as an advocate of those measures designed to advance and promote the general interest of the country. His long years of public service brought him into close contact with most of the public men of the Republic and State, all of whom held him in the highest esteem."

Mr. Menefee did as much as any man in the Republic to arouse the people to the necessity of organizing for defense. This is shown by the records of citizens' meetings in different settlements in Austin's Colony as early as 1832, while at the same time the citizens of San Felipe, under the influence of Horatio Chriesman and Samuel M. Williams, were urging an abandonment of their protests and giving allegiance to the Mexican government, in the face of the usurpation of authority by the Mexican Commander at Anahuac and at other points in the State. The records in the Austin and Lamar papers in the State Library at Austin confirm this statement.

Throughout his public career, Mr. Menefee was actuated by loyalty and patriotism. His ambition was to serve and his record is one of incomparable devotion to the principles of equity, justice and liberty. He bore the hardships and privations of pioneer life with stoical indifference that was sublime.

Mr. Menefee was born in Tennessee, March 28, 1796. He was given an academic education, studied law and began practice. He never followed the practice of law as a vocation, but rather as an avocation. He moved to Alabama in 1827 and from that State came to Texas as early as 1830 and settled in the territory now known as Jackson County. Very soon after he reached Texas, trouble arose between the Texas Colonists and representatives of the Mexican Government. A convention was called to meet at San Felipe in 1832 for the purpose of memoralizing the Mexican Government, relative to certain laws and decrees enacted during the brief reign of Bustamente. Mr. Menefee was elected a member of this Convention, which he attended. He was also a member of the Convention of 1833, called for a similar purpose to that of 1832. He took an active part in the proceedings of both Conventions.

"I had began to doubt that any relief would be given the colonists, but I was willing to watch and wait," said Mr. Menefee, when speaking of the 1833 Convention.

Mr. Menefee was also a member of the Consultation, which met at San Felipe in 1835, and organized a Provisional State Government. He took a more prominent part in this Convention than in the preceding ones, "because," said Mr. Menefee, "I found the delegates more in accord with my views."

Mr. Menefee was appointed on the Committee to prepare an address "setting forth to the world the causes that impelled us to take up arms and the object for which we fight." This Committee was created on motion of Col. John A. Wharton, November 3, and consisted of one delegate from each of the twelve municipalities represented. The committee was composed of the following distinguished men: John A. Wharton, Brazoria, Chairman; William Menefee, Austin; R. R. Royall, Matagorda; Lorenzo de Zavala, Harrisburg; Asa Mitchell, Washington; William S. Fisher, Gonzales; Robert M. Williamson, Bastrop; Sam Houston, Nacogdoches; Alexander Horton, San Augustine; Wyatt Hanks, Bevil; Henry Millard, Liberty, and Samuel T. Allen, Viesca.

The greater part of November 4, 5 and 6th was consumed in discussing the character of the report this Committee should make. John A. Wharton and Henry Smith led in the fight for a straight declaration of separation from Mexico. Sam Houston, William Menefee and R. M. Williamson led the fight for a provisional declaration or one favoring the constitution of 1824. The vote was taken on November 6th and stood fifteen for immediate separation and thirty-three for a provisional declaration, or for the Constitution of 1824. The Committee made its report on November 7th which was also paramount to a declaration of independence by enacting first, "that Texas is no longer morally or civilly bound by the compact of Union," and second, "that they do not acknowledge that the present authorities of the nominal Mexican Republic have a right to govern within the limits of Texas."

This report was unanimously adopted and signed on November 7th, 1835.

The General Council appointed Mr. Menefee First Judge of the Jurisdiction of Colorado, which position he accepted.

When the Convention which met at Old Washington, March 1, 1836, was called, Mr. Menefee was elected a delegate. On arriving at old Washington he let it be known that he should favor an unconditional separation from Mexico and when Mr. Childress submitted his report declaring Texas free from Mexico, he favored its adoption and when it was adopted he became one of its signers.

Mr. Menefee continued to take an active part in the affairs of the Colonies. He supported General Houston for President in 1836 and was elected a member of the Second Congress of the Republic. He was elected also to the Third, Fourth, Fifth and Ninth Congresses.

He was one of the Commissioners to locate a permanent Capitol for the Republic and favored the present site at Austin. After annexation he moved to Fayette County and represented that County in the Legislature in 1853. He died October 28, 1875. A few days after his death, I received a letter from Cap-

tain Calder advising me of his passing and giving a brief record of his public services. He also enclosed me copies of important historical documents relative to Mr. Menefee's early activities in behalf of the Colonists.

Captain Calder and Mr. Menefee were inseparable friends, and on a visit to him in Richmond in 1880 he said to me:

"I have not recovered from the death of my friend, William Menefee. I have suggested to a few of my friends the propriety of erecting a monument over his grave, but I have met with little encouragement . It is possible that the time is not ripe for memorials of this kind. It may be that history is repeating itself. The present generation is too close to the scenes of our struggles for it to fully appreciate the part played by men like Mr. Menefee. A future generation may make up for the neglect of the present and tablets and monuments may be erected to mark their last resting place and to commemorate their deeds of patriotism, sacrifice and heroism in the cause of liberty."

As Captain Calder spoke these words his voice grew mellow and his eyes glistened with tears. Captain Calder was a man of big brain and heart and he felt that the country owed a debt of gratitude to those who had made so many sacrifices in the struggle to establish liberty and freedom where tyranny and despotism formerly reigned. He had done his part in driving tyranny from the land and was proud of the record he had made.

JOHN W. MOORE

Signer of the Texas Declaration of Independence

A Friend of Travis—Assisted in Driving Mexicans from Anahuac—Delegate to the Consultation at San Felipe—Army Contractor—Delegate to the Convention at Old Washington, March 1, 1836—First Sheriff of Harris County.

John W. Moore belongs to that group of early Texas patriots whose deeds of valor, sacrifice and heroism grow bigger and bigger as we contemplate them.

It has been truly said that no man can be judged on the morrow of his death, because time is required to ripen the estimate of his character. When we consider the hardships endured by the early Texas patriots it becomes a pleasure to revere their memories. The pages of history record few instances of greater sacrifice. These valorous men bared their breast to the savage foe and the cruelty of Mexican despotism, undaunted by fear. They had a mission to perform, and went about their work with an invincible courage.

Mr. Moore left a record of honor and patriotic devotion to the Republic and its institutions.

Charles B. Stewart and William Menefee, who served with Mr. Moore in the Washington Convention, spoke of him in terms of praise and it is upon their statements largely that we have relied for a proper estimate of his character and usefulness to the Republic, though the printed records are testimonials of his gallantry and patriotism.

Mr. Moore came to Texas before the breaking out of the Texas Revolution and settled in the Municipality of Austin, but later moved to the Municipality of Harrisburg.

When in 1835, Tenorio, the Mexican commander at Anahuac, arrested and imprisoned Andrew Briscoe because he refused to pay customs duties, levied in violation of the law, on merchandise he had shipped in, William B. Travis organized a volunteer corps to proceed to Anahuac to the relief of Mr. Briscoe. The company was organized at Clopper's Point, now known as Mor-

gan's Point. W. B. Travis was elected Captain, William Morris First Lieutenant, and J. W. Moore, Orderly Sergeant. They proceeded on a mounted sloop to Anahuac. When they approached Anahuac a shot was fired to warn the garrison of their approach, and the cannon placed on a boat and carried ashore and mounted ready for battle. As soon as the Mexicans realized what was transpiring they abandoned the fort. Tenorio sought an interview with Captain Travis and agreed to capitulate. The terms of surrender were signed the following day, June 30th. Mr. Briscoe was released and the custom house at Anahuac closed for all time.

Mr. Moore took a prominent part in these proceedings and greatly impressed Mr. Travis by his coolness in dealing with Tenorio. They were forever afterwards warmly attached friends.

After the close of this incident, Mr. Travis returned to San Felipe and on August 31 wrote Mr. Moore a letter in which he gave an outline of the feeling at San Felipe regarding their acts in driving the Mexicans from Anahuac. This letter appeared in the "Morning Star," Houston, March 14, 1840, with this comment from its Editor, Mr. D. H. Fitch:

"The following letter from the pen of the immortal Travis will be read with peculiar interest. Every lime that has been penned by that noblest of Texian patriots will ever command the admiration and respect of Texians. Who can read their lives and not feel his bosom glow with the fire of liberty that animated their illustrious author? This letter was addressed to Major J. W. Moore and the original is now in his possession; it will some day become a valuable autograph. Colonel Moore was the first who raised the one starred banner among the brave Harrisburgers, to whom Travis alluded, and has on many occasions by his bravery and devotion to the cause of freedom, proved himself worthy of this noble correspondent."

It will be recalled that even as late as the summer of 1835, there were many of the best men in Austin's Colony who strongly opposed any organization having for its object a separation from Mexico. Those opposing separation were of the "Peace Party" and those favoring separation were the "Progressive or War Party." Colonel Moore belonged to the latter party. William B. Travis' letter to Colonel Moore plainly shows that he held him in high esteem. We are reproducing this letter in full, as presented

by Mrs. A. B. Looscan in her splendid sketch of Harris County, for the purpose of giving the readers an insight to the sentiment prevailing at that period and also to enable them to properly appreciate the devotion of Colonel Moore to the principles of freedom and liberty. The letter reads as follows:

"San Felipe, Aug. 31, 1835.

Dear Sir:—

Huzza for Texas! Huzza for Liberty, and the rights of man! My friend, when I returned from your place, I found the tories and cowards making a strong effort and for a time they were but too successful. I was, therefore, disgusted and wrote you but little, as I had nothing to communicate but what I was ashamed of as a freeman and a friend of my Country. It is different now, thank God! Principle has triumphed over prejudice, passion, cowardice and slavery. Texas is herself again. The people in the whole upper country are unanimous for a convention in which the voice of the people will be freely expressed. Every part of the country has pronounced against the dictation and humiliating course of the tories and friends of the Spaniards. The pitiful faction which has dominated here has expired and those who supported the doctrine of abject submission to the military have sunk too low, ever to rise again.

"Principle was gradually working out this glorious end and preparing the way for the march of freedom, when the order came for my being arrested and given up to the military to be shot for engaging in the expedition to Anahuac, etc. That was too much for the people to bear; it was too great a sacrifice for them to make and they unanimously exclaimed against this order and its supporters. The devil has shown his cloven foot and his lies will be believed no longer.

A tremendous reaction has taken place and the tories are almost as bad off as they were in 1832. Heaven's hangman will lash the rascals around the world.

"The word now is a convention of all Texas, to declare our sentiments and to prepare for defense if necessary.

"The Harrisburgers want no stimulus to patriotism. They have always been the foremost in favor of liberal republican principles. They have always been on one side—the right side. God grant that all Texas may stand as firm as Harrisburg in the 'hour that will try men's souls.'

"I feel the triumph we have gained and I glory in it. Let Texas stand firm and be true to herself and we will have nothing to fear. We have many rumors afloat here. There is no doubt of one thing, they mean to flood the country with troops and garrison the towns.

"San Felipe, Nacogdoches and all the ports are to be garrisoned in a month or two. They are determined to punish those engaged in the expedi-

tion of Anahuac in 1832. If we submit to these things, we are slaves and deserve not the name of freemen.

"We are to have a great meeting here on the 12th of September, to vote for and against a convention. The citizens of the whole jurisdiction are invited to attend. I hope you will attend and bring all the Harrisburg boys you can. Those who cannot come, please get them to sign a paper similar to the one signed at Columbia, expressing their wish for a convention.

"Tender my best respects to all the boys—tell them never fear, fortune favors the brave.

Your friend,

W. BARRETT TRAVIS."

The convention referred to by Mr. Travis was called to meet at San Felipe, November, 1835. Colonel Moore was elected a delegate to this convention, which is known in history as the Consultation. He was an ardent supporter of the plan to organize a provisional State Government. When the Provisional Government was established, Colonel Moore was elected by the Council, army contractor. The labor required of him was of an exacting character, but he performed it with tact and ability. The Committee recommending his appointment reported that he is a "fit person to fill the place of contractor for the volunteer army and he shall be required to purchase and forward to the headquarters, for the use of the army, all articles required by the ordinance."

When the Convention was called to meet at Old Washington, March 1, 1836, Colonel Moore was elected a delegate to it, and was a willing signer to the Declaration of Independence adopted. "Here," said Mr. Menefee, "Mr. Moore's counsel was sought. He had a fair idea of the resources of the country and was called into conference by the leaders of the Convention, relative to the available resources to carry on the revolution. He was very methodical in presenting the information he had secured. 'There is one thing sure,' he said, 'we will not want for high class meats. There is plenty of grain on hand if it can be conserved. With bread and meat in abundance, other necessities can be provided. Methods for transporting our bread stuffs will have to be looked after. But the way is clear and facilities are available.' "

"When President Ellis was making up his committee to draft a constitution for the new government," said Charles B. Stewart, "Mr. Ellis called Mr. Moore aside and offered to appoint him on that committee, but Mr. Moore declined, stating that he was working on other important matters which would require his time and best thought. Mr. Ellis then turned to me and requested me to serve on the committee, which I agreed to do and did." Continuing, Mr. Stewart said: "Mr. Moore impressed me as being a man of good business judgment. He did not have much to say during the Convention but he exercised an influence that few possessed. He had a pleasing personality and had a soft accent that pleased the ear. He was loyal to the core and was ready to grapple with the most difficult problems to bring success."

He was the first sheriff of Harris County and in 1840 was City Alderman.

CHARLES B. STEWART

CHARLES B. STEWART

Signer of the Texas Declaration of Independence

Came to Texas in 1830—Member of the Consultation 1835—Executive Secretary to Governor Smith—Delegate to the Convention Which Met at Old Washington, March 1, 1836—Member Annexation Convention 1845—Member First Legislature—Death in Montgomery County.

Charles B. Stewart was a man of splendid intellectual attainments and distinguished himself in the early days of the Republic as a prudent and courageous defender of the principles of liberty, for which the colonists were battling. During his fifty years' residence in Texas he witnessed many scenes which are records of historical interest and value. He began his public career as an officer of the General Consultation at San Felipe in 1835. During this convention he demonstrated his fitness for place of responsibility, and when a provisional government was formed and Henry Smith elected provisional governor, he appointed Mr. Stewart Executive Secretary, an office at that critical period of the State's history, second only in importance to that of the governor. In this position he rendered signal service to the government. He was methodical, courteous and affable, and the records of his office were kept in complete order. When the Chief Executive or the General Council desired to examine any particular file of his office he was always ready to put his hands on it without a moment's delay.

Governor Smith found Mr. Stewart a safe and wise counselor, and testified to his splendid character in this language:

"Mr. Stewart was very conscientious and scrupulously honest in all his dealing, both of a private and public nature. He was not easily disturbed by adverse criticism, and when the General Council demanded that the records of his office be turned over to them, he refused without displaying anger or concern. When they attempted to discharge him for refusing to obey their demands, he continued to perform his duties as if nothing had occurred, merely informing me of these happenings without comment."

Mr. Stewart was born in South Carolina, August 8, 1806. He came to Texas from Louisiana in 1830, and soon became a prom-

inent and conspicuous leader among the colonists. He was a member of the Consultation of 1835. After the adjournment of the Consultation and the provisional government had been established, he was appointed Executive Secretary to Governor Henry Smith. He remained a strong supporter of Governor Smith when his General Council attempted to remove him (Smith) from office. On Mr. Stewart's refusal to turn over the archives of his office to Lieutenant-Governor J. W. Robinson, whom the Council had recognized as governor, he was fined $2,500 by the General Council. No effort, however, was ever made to collect the fine.

When the convention was called to meet at Old Washington, March 1, 1836, Mr. Stewart was elected a delegate to this convention, and thus became a signer to the Declaration of Independence adopted by that convention. He took a most prominent part in the convention proceedings and served on the committee to draft a constitution for the new government.

Mr. Stewart located permanently in Montgomery County. He represented that county in the Convention of 1845, which formed the Constitution under which Texas was annexed to the United States. He also represented Montgomery County in the First Texas Legislature in 1846. He represented Montgomery County in the Legislature in 1851-52, 1876-77 and again in 1883-84.

Before his death early in 1886, Mr. Stewart became almost totally deaf which greatly annoyed him in his declining years.

Mr. Stewart retained to the very last a vivid recollection of the early struggles of the Texas pioneers. The writer had many conversations with him at his home in Montgomery County and while he was a member of the Texas Legislature, and secured from him valuable historical information pertaining to the early history of Texas and the pioneers who took part in establishing civil and religious liberty in the Republic. His account of Chief Field's, of the Cherokees, attempt to establish a branch of that tribe on Clear Lake, Montgomery County, is the most authentic record of that event of which students of Texas history have any knowledge.

Mr. Stewart left a family of sons and daughters who became prominent and useful citizens of the State.

Governor E. M. Pease, who became acquainted with Mr. Stewart in 1835 and who met him frequently in after years, said this of him:

"Among those whose acquaintance I made as early as 1835 there were none for whom I had greater respect. He was one of the most consistent men I ever met. He was loyal to his friends and his convictions and could not be driven from either. He was universally popular with all classes; serene under difficulties, quiet and reflective at all times and never attempted to force his views on anyone. As a lawmaker he was cautious and prudent, but stood firm to his convictions. Because of this he was thought by some to be arbitrary. But he was not. He was never influenced by popular clamor, nor was he easily led to embrace policies of doubtful wisdom. He was never a seeker after public position, but he never shirked responsibilities placed upon him. He lived and died fond of his friends, loyal to his giverument and to his country."

JOSE ANTONIO NAVARRO

Signer of the Texas Declaration of Independence

A native of San Antonio—Land Commissioner for DeWitt's Colony and also of District of Bexar—Delegate to the Convention at Old Washington, March 1, 1836—Commissioner to Accompany the Expedition to Santa Fe—Captured and Carried to Mexico—Condemned to Life Imprisonment—Released and Returned to Texas—Delegate to the Annexation Convention—Served in First State Senate—Death in 1870.

Mr. Navarro was one of the native Mexicans who espoused the cause of the Texas Colonists when trouble arose between them and the Government of Mexico. The memory of his valiant services to the struggling Texans will live in the hearts and minds of all Texans as long as time lasts. He left a record of patriotism and devotion to the Republic that time cannot efface.

Rev. Homer Thrall, the Texas historian, said of him: "Mr. Navarro was a staunch Republican; a man of great simplicity of manners, united with Spanish dignity, pure in morals, upright in all his dealings and an incorruptible patriot."

In referring to Mr. Navarro as a member of the First State Senate, Mr. Wooten, in his History of Texas, said: "There sat in the First Senate, Jose Antonio Navarro, a Mexican by birth, a native of San Antonio, a Texas patriot ever, who with great dignity and intelligence had participated in the Convention of 1836 and 1845."

In speaking of him as a delegate to the Convention at Old Washington, March 1, 1836, Mr. Menefee said:

"Among the delegates, who by his modest bearing attracted the attention of the delegation, was Mr. Navarro, a native Mexican from Bexar, who had joined the Texans in their struggles to throw off the yoke of Mexican tyranny. He at first appeared ill at ease, but as he came in contact with the delegates who greeted him cordially, he threw off his reserve and mingled freely with them and impressed them all that he was sincerely devoted to our cause. When he and Mr. Zavala were appointed on the Committee to draft the Constitution, he seemed greatly pleased. He sat next to me at the first meeting of the Committee and took part in the preliminary dis-

cussion of our report. During the preparation of the Constitution he made frequent suggestions regarding its phraseology, demonstrating his familiarity with Republican institutions.''

Mr. Navarro was born in San Antonio, February 27, 1795. He was educated in the best college in Spain. After completing his education and receiving his literary degree, he returned to San Antonio and joined his father in his business. This business brought him in contact with the Indians, with whom he had many transactions.

In 1831 he was appointed Land Commissioner for DeWitt's Colony, and in 1834-35 he was Land Commissioner for the District of Bexar.

''Mr. Navarro was a consistent Republican and an implacable foe to despotism in any form,'' said Judge Fulmore. When the Texas Revolution against Mexican despotism broke out in 1835, his sympathies were with the Texas Colonists and he aided them in many ways. When the Convention was called to meet at Old Washington, March 1, 1836, he was elected a delegate from Bexar. He took an active part in the Convention and was appointed on the Committee which framed the Constitution for the Republic. When the Declaration of Independence was framed and adopted, he became one of its signers. After the Republic was organized he served in its Congress.

In 1840 President Lamar appointed him one of the Commissioners to accompany the expedition to Santa Fe. He was captured by the Mexicans, as were the other members of the expedition. He was carried a prisoner to Mexico and confined in the castle of Acordada, where he was kept in close confinement until his release in 1845.

Mr. George W. Kendall, a citizen of New Orleans, but who accompanied the Santa Fe Expedition and fell into the hands of the Mexicans as did the Texans forming the expedition, wrote and published a very interesting *''Narrative of the Texan Santa Fe Expedition.''* In this publication he gives the following account of his last visit to Mr. Navarro in his prison cell in the City of Mexico. He said:

"Determined, if possible, to gain admission into the noted Acordada, and have one interview with my old companion, Antonio Navarro, before leaving Mexico * * * , I obtained the assistance of a young and influential Englishman who spoke confidently of his being able to coax or bribe his way into the interior of the prison. * * *. After a few words of parley with a guard of soldiers stationed at the main entrance, we were admitted within the gloomy walls and commenced the ascent of a flight of solid but much worn steps. Either side we found lined with ragged and squalid wretches, doubtless in some way related to the prisoners, and lounging about with the hope of being allowed to visit them. Arrived at the head of this dismal staircase, and after a few words of farther parley, we were admitted through a strong and massive door. Here we at once found ourselves involved in a labyrinth of gloomy galleries and dark passageways. Soldiers, keepers, officers of the courts, gentlemen and leperos, were hurrying to and fro; ponderous locks were turned in opening or closing heavy iron doors and gates on every side; curses and deep imprecations were heard in unseen quarters; while the clanking of chains as they were dragged the floors of the different apartments and across the stone pavement of an immense patio below us, were grating harshly in our ears. * * *.

"The young Englishman who accompanied me, again made known our wish to see the prisoner, Mr. Navarro, adding that we had received permission to that effect. The keeper, after telling us to wait a few moments, unlocked another grated door which seemeed to open into an inner corridor, and went in quest of my former comrade. During the few minutes that elapsed before his return we had an opportunity of learning some of the secrets of this celebrated prison, and of seeing the cold, business-like air with which it is conducted. On every side it seemed as though we could hear keys turning in ponderous locks, the dreary sound of bolts, and the clanging of the heavy iron doors as they opened or were shut.

"Finally a ponderous iron gate, leading apparently into another part of the prison, was slowly opened, and Mr. Navarro stood before us. Three months' close imprisonment, combined with the horrible associations of the Acordada, had wrought terrible changes in the appearance of my old companion—his unshaved face was pale and haggard, his hair long and uncombed, his vestments ragged and much soiled. On first entering the walls, his fellow-prisoners composed of the most loathsome and abandoned wretches, had robbed him not only of his money but his clothing, and with emotion he now told us that the only sustenance he received was the scanty allowance of tortillas and frijoles given to each of the immense horde of felons and assassins by whom he was surrounded—a pittance barely sufficient to sustain life. He spoke of his wife and children of San Antonio, of a son at college in Missouri, and with tearful eyes begged me to convey

to them information that he was still alive and not without hope of ultimate release. Stealthily, and without being seen by the surrounding Mexicans, we gave the unfortunate man what money we had—shaking hands with him three or four times previous to our final parting and at each grasp slipping a few dollars into his possession; then, after expressing our ardent wishes for his speedy liberation, we left the Acordada, but not until I heard the ponderous iron door close, with a dreadful clang, upon my old comrade.''

This harrowing experience did not break the spirit of Mr. Navarro, although he was forced to endure hardships and privations during his long imprisonment which would have terminated the life of one less capable of endurance. His family and friends never lost hope of his final return to them though many rumors reached them which greatly distressed them.

Santa Anna condemned him to life imprisonment, though during his confinement in prison he offered him his liberty and high office if he would turn against Texas. He refused all overtures, preferring to perish rather than turn against the people of his native State. When Herrera succeeded Santa Anna in 1845 he released Mr. Navarro. He immediately left Mexico for Texas, landing at Galveston, Febraury 15, 1845, after an absence of more than four years. He at once proceeded to San Antonio and was elected a delegate to the Convention which framed the State Constitution under which Texas was admitted into the Union. He afterwards served in the First State Senate. He died in San Antonio in 1870.

Colonel Edward Burleson of San Marcos, a son of General and Vice-President Edward Burleson, was a close personal friend of Mr. Navarro's and on one of his visits to Mexico Mr. Navarro furnished him letters to his personal friends in that Republic. ''These letters,'' said Colonel Burleson, ''secured for me the friendship and co-operation of many prominent Mexicans and enabled me to complete the business of my visit with dispatch.''

In speaking of Mr. Navarro, Colonel Burleson said:

''Mr. Navarro was no ordinary man. He was a strong supporter of our American institutions, public spirited and progressive in thought. He often referred to his confinement in a Mexican prison and of the suffering endured by the Texan prisoners in their forced march from Santa Fe to Mex-

ico City. He was a man of means and spent his money freely to relieve the suffering of the Texans on their long march. Colonel Cooke told me that 'had it not been for the generosity of Mr. Navarro many more of the Texan prisoners would have perished than did.' ''

Mr. Navarro was highly esteemed by the unfortunate participants in the Santa Fe expedition and on their return to Texas they were lavish in their praise of his generous sympathy in the four years of their great suffering.

When Navarro County was created from Robertson County in 1846 it was named in honor of Jose Antonio Navarro, a Mexican patriot and signer of the Declaration of Texas Independence. When Navarro County was organized and a permanent seat of government established in 1848, it was named Corsicana in honor of his father's place of birth, Corsica.

JOHN S. ROBERTS

Signer of the Texas Declaration of Independence

A Soldier in General Jackson's Army—Won Fame for Bravery — Settled at Natchitoches, Louisiana — Deputy Sheriff—Comes to Texas—Romantic Marriage—Moved to Nacogdoches—Secures the Old Fort—Took Part in The Fredonia Rebellion—Delegate to the Convention at Old Washington, March 1, 1836—Recruits Men for the Army—Death and Burial at Nacogdoches.

John S. Roberts' name is indelibly associated with the early history of Nacogdoches where he resided from about 1826 until his death. He was born in Virginia in 1795. Here he was reared and educated by pious Christian parents. He joined General Jackson's army in 1814 and participated in the battle of New Orleans, January 8, 1815. He was in the thickest of this historical battle and conducted himself in such a brave manner that he was mentioned by Cardinal Moyne in his "New Orleans," published in France in 1840. After the war with Great Britain had come to an end, Mr. Roberts made his way to the old French fort of Natchitoches, Louisiana. After living there a few years he became deputy sheriff of Natchitoches Parish. While holding this office a local fued broke out in Texas near the present town of Milam, in Sabine County. During the fued several men lost their lives. Among them was Robert Colyer. He was a man of great wealth and brought with him to Texas, in 1825, a large number of slaves. His wife, who survived him, was placed in a very embarrassing position. She was a stranger in a strange land, without friends, and with a large number of slaves to manage and direct. At this critical moment John S. Roberts learned of her plight and he hastened to offer his sympathy and assistance. He very soon solicited her hand in marriage, was accepted and soon thereafter Mrs. Colyer became Mrs. Roberts. As soon as they could arrange their affairs they moved to San Augustine and from there they soon moved to Nacogdoches where they spent the residue of their lives.

Many fabulous stories have been written regarding Mr. Roberts which lack the foundation of fact. The account of Mr. Colyer's death and his marriage to his widow, however much romance it contains, is doubtless true. It was recited by Col. Alexander Horton who was familiar with the circumstances. Col. Horton settled at San Augustine in 1824 and continued to reside there until his death in January, 1894. Regarding his account of this event in Mr. Roberts' life, Rev. Dr. George C. Crocket, of San Augustine, writes me under date of January 9, 1923, as follows:

"About 1886-88, Col. Horton wrote some reminiscences of the pioneer days of eastern Texas. Among them was an account of a family of notorious criminals, the Yocums, who lived in that section of the country and who were exterminated I think in Hardin County, for their crimes. I cannot do better than give the account in Col. Horton's words, premising that the scene of the events was some four or five miles east of the present town of San Augustine, which at that time was not in existence. Here is Col. Horton's account: 'Sometime in the year 1827 or 1828 there moved into the Sabine district from Alabama a man by the name of Robert Colyer who settled near where the town of Milam now stands. Coyler was a man of considerable wealth, owning seventy-five or a hundred slaves. He was then living with his second wife, a lady of the first order of intelligence. He had also a grown daughter by his first wife living with them, whose name was Susan. As Colyer was a man of great wealth there soon began a contest among the young men for the hand of Miss Susan. The most prominent of these suitors were Mathew Yocum, a citizen of Louisiana, a man of most infamous character, and Charles Chandler, a man of high standing and esteemed by everybody who knew him. It was not long before Mr. Colyer discovered that his daughter had placed her affections on Yocum. This so exasperated him that he drove Yocum from his house with orders never to return. He then induced his daughter to marry Chandler, contrary to her wishes. This laid the foundation for one of the most bloody tragedies on record. Not long after Susan's marriage, James Colyer, a brother of Robert Coyler, married the sister of Mathew Yocum, and soon became a partner of Yocum in all his acts of villainy. The first thing to be accomplished was to separate Chandler and his wife, which they easily did. Having accomplished this the next thing was to kill both Robert Colyer and Charles Chandler. Accordingly they approached Colyer's house one moonlight night, and finding him and his wife sleeping in an open passage, they approached near enough to blow Coyler's brains out with a pistol without injury to his wife. This hellish deed being accomplished they started in great haste to

murder Chandler. But in some way, never known, Chandler got word of their purpose and prepared for the combat. He had only time to prepare his gun and take his negro man into the house with him, when looking in an easterly direction he saw Yocum and James Colyer advancing. As they darted up into his yard a well-directed fire from Chandler's gun brought Mathew Yocum to the ground. He at once sprang forward to the house, thrust his gun through a crack and fired, killing instantly the negro man fighting by his master's side. This was done in his death struggle for he immediately went down never to rise again. On seeing Yocum fall, Colyer retreated in great haste, but he had not run more than fifty yards when another discharge from Chandler's gun put an end to his career. In this desperate fight between four men all but one went down and gasped their last breath where they fell, making it one of the most bloody tragedies ever enacted.

"The condition of Mrs. Robert Colyer was dreadful in the extreme; just settled in a new country, with a large number of slaves and no friend to look to her protection. Although Mathew Yocum and James Colyer were both killed, the Yocum family were still strong and formidable. In this forlorn condition she knew not what to do and her case was really pitiable. But at this dark and critical time John S. Roberts, Deputy Sheriff of Natchitoches Parish, heard of her dreadful situation and at once hastened to her relief and gave her all the assistance in his power. He then solicited her hand in matrimony, which she granted, and at once became his wife.

"Mr. Roberts was a man of fine sense, and seeing that the Yocum's were still strong and dangerous, he removed his family to San Augustine, and from there to Nacogdoches, where they claimed protection under the Mexican authorities. They at once gave them protection and he and his wife remained there until their death, leaving behind them a family highly respected.'

"This," said Dr. Crocket, "is what Col. Horton said about Mr. Roberts and his marriage." And continuing he said: 'The Yocum's committed other dreadful crimes and were driven from the country by a posse of indignant citizens. They went to Pine Island Bayou, in what is now Hardin County, and it was charged that they lured travelers to their house and murdered them. At last the citizens rose in indignation and exterminated them, when they found relics of other victims scattered about the place."

I have reproduced these reminiscences of Col. Horton, and the statement of Dr. Crocket, because they throw some light on the period of early Texas history in Eastern Texas in which Mr. Roberts took a prominent part.

At this time a Mexican garrison was located at Nacogdoches under command of Colonel Piedras. San Augustine was but a

village known as Ayish Bayou settlement. There was no law enforcement, either Spanish or American, except the frontier justice of the pioneers. The Alcalde appointed (1827) was Norton Davis, an uncle of Gov. O. M. Roberts, and he swore to enforce the law "so far as he knew it."

Rev. Dr. George C. Crocket of San Augustine, from whom many events in the life of Mr. Roberts have been secured, says:

"There is a tradition that in the Runaway Scrape, or in some other abandonment of Nacogdoches, perhaps in 1832, when the residents came back to claim their property, he embraced the corner of the Old Stone Fort and said, 'This is mine.' This may not be true, but it certainly belonged to his family until it was purchased by the Perkins Brothers."

The story of the Old Stone Fort is full of romantic interest. It has supplied material for many stories which have been published throughout the country and even at this late day many writers of fiction and romance find its history inspirational.

Dr. J. E. Mayfield, of San Antonio, long a resident of Nacogdoches and an intimate acquaintance of Mr. Roberts, in answer to my inquiry regarding Mr. Roberts wrote me some very interesting incidents of his life. In his note Dr. Mayfield said:

"Mr. John S. Roberts was the first actual American owner of the historic old building known as the Stone Fort. He owned it at the time of his death. He and his Old Stone Fort saloon were fixtures in Nacogdoches and were known far and wide. While Mr. Roberts ran a saloon in the Old Stone Fort it was an orderly place. He never drank himself or encouraged others to drink.

"Mr. Roberts was never regarded 'a jolly good fellow' nor was he disliked. His manner was serious, and yet he had a strong sense of humor. He was not a remarkable man by any means. He was a man of average size and form. He was never loud or boisterous. He looked out strictly for his own business and held aloof from all else. He was greatly respected by those who patronized him.

"In the early day of of the famous saloon with its unique proprietor and the historical mystery of the old stone edifice, an itinerant sign painter induced Mr. Roberts to permit him to paint a sign and place it on the old building. The sign was placed in a conspicuous place on the front elevation. The result was electrical. This sign, conspicuous in style and location, read: 'OLD STONE FORT. ERECTED A. D. 1619.' It attracted the eyes of all passers and brought about many inquiries and debates as to when, why and by whom it was built. Mr. Roberts did not know any more than others about it, but he kept his peace and sold drinks."

Mr. Roberts had not been long in Nacogdoches before trouble arose between Hayden Edwards and the Mexican authorities over questions arising in the Edwards Colony. When Edwards rebelled against the Mexican Government Mr. Roberts joined Edwards in the rebellion known as the Fredonian Rebellion. On the collapse of Edward's Rebellion Mr. Roberts did not leave the State as did Edwards and many others, but sought refuge among friends until everything became quiet. He then returned to Nacogdoches and re-entered business. It was while thus engaged he was elected a member of the Convention which met at Old Washington, March 1, 1836. His colleagues to this convention were Thomas J. Rusk, Robert Potter and Charles S. Taylor. These gentlemen were in perfect agreement that this convention should take action to establish an independent government. Mr. Roberts favored the Declaration of Independence presented by the convention and when it was adopted he affixed his name to it.

Mr. Edwin Waller who served in the Washington Convention with Mr. Roberts and who afterwards knew him and his family intimately, said this of him:

"Mr. Roberts was rather reserved at Old Washington. He attended all the sessions but seldom manifested anything more than a passing interest in the proceedings except when the proposition of establishing a government independent of Mexico came up for consideration. This question aroused him and he boldly proclaimed that he was ready to form an independent government and defy Mexico to interfere. He expressed a desire to join General Houston's Army, but said he: 'I must return to Nacogdoches and provide for my family's safety before I do.' When Mr. Roberts left Old Washington I feel sure that it was his purpose to join General Houston's army, but he informed me when I visited him in 1839 that he was just on the eve of marching with twelve companions to join General Houston's army when the news reached Nacogdoches of the Texan's victory at San Jacinto. Mr. Roberts had mounted and supplied these twelve men at his own expense. Mr. Roberts was a true patriot, as true as steel to his friends and to his country.

When Roberts County was created from Bexar County in 1876 it was named in honor of John S. Roberts.

Mr. Roberts and his wife were both buried in Nacogdoches.

ROBERT M. COLEMAN

Signer of the Texas Declaration of Independence

Early Life in Kentucky—Join Company of Home Guards —Came to Texas in 1832—Member of the Consultation in 1835—Appointed Captain of the First Ranger Company —Resigned to Attend the Convention at Old Washington, March 1, 1836—Joined General Houston's Army—Member Houston's Staff in Battle of San Jacinto—His Accidental Death—Murder of His Wife by Indians.

Robert M. Coleman was another of those daring spirits whose deeds of valor and heroism made him a conspicuous figure in the Province of Texas before the breaking out of the Texas Revolution. About the time he reached Texas, roving bands of northern Indians had began their raids upon the settlements, driving away their horses, killing their livestock and murdering such settlers as crossed their path. The country was aroused to the necessity of taking steps to protect the settlers from these marauding bands of savages. There was need of experienced leadership of men familiar with Indian customs and habits, and Mr. Coleman arrived on the scene just at the time when conditions opened up to him opportunities for great service.

Mr. Coleman was a native of Kentucky, having been born there in 1799. Here he was reared and educated in the academic institutions of the country. When quite a young man he joined a company of Home Guards, whose business it was to protect the settlers against Indian raids, which were frequent at that early period. He later joined a military company and for several years was engaged in Indian warfare. When he came to Texas he was confronted with conditions similar to those of Kentucky. His experience among the Indians of Kentucky soon became known to the people of Bastrop, where he had located on coming to Texas in 1832. He thus soon became identified with the measures adopted to protect the settlers against Indian atrocities.

Mr. Coleman was a member of the Consultation which met at San Felipe, November, 1835. When the first Ranger Company was organized in 1835 he was appointed its Captain. This or-

ganization was formed by virtue of authority given by Article Nine of the Plan of the Provisional State Government, adopted at San Felipe, which provided for raising a "force of 150 Rangers to be placed in detachments on the frontier." Governor Smith authorized the formation of the company under Captain Coleman and had its several detachments placed at various points on the Trinity, Brazos, Colorado and Little Rivers. This company was the first of the regular authoritative organizations for the Rangers. Before this, however, there were volunteer organizations of a temporary character to defend the settlers from the Indians, and in the many battles which occurred between the settlers and the Indians, the names of Robert M. Coleman, the Bowie Brothers, Ed Burleson, Henry S. Brown, Jack Hays, Samuel Highsmith, McCulloch Brothers, W. P. Harderuan, Mathew Caldwell, James Callahan, Tom Green and John H. Moore became more or less conspicuous. Many of our most gallant men in the early days of the Republic sought service in the Ranger Companies organized by the Republic.

While serving as Captain of a Ranger force, Mr. Coleman was elected a member of the convention which met at Old Washington, March 1, 1836. He resigned his position to attend this convention. He participated in its proceedings and when the Declaration of Independence was adopted he became one of its signers. After the adjournment of this convention he joined General Houston's Army and became a member of his staff, and in this capacity he participated in the battle of San Jacinto. His gallantry in this battle attracted public attention to him and he was urged by his friends to enter public life, but he declined to become a candidate for public office, preferring a business career. He lived on his farm in Bastrop County. Mr. Coleman was accidentally drowned in the Brazos River in 1839. He left a wife and several children in their little home about twelve miles from Bastrop, in Bastrop County.

In 1839 a band of Caddoes, Wacoes and Keechi Indians fell upon their little home and killed Mrs. Coleman and one of her children, burned the home and carried one of the children off

in captivity. This band of Indians was followed and a fierce engagement took place. The Indians were routed and several white captives rescued.

The account of this horrible butchery forms an interesting chapter in Texas history.

Mr. Coleman was a gallant and brave officer and a most valuable citizen. His influence, however, was greatly lessened by his untimely assault on General Houston. He wrote and published an abusive and vituperative pamphlet against General Houston, charging him with gross neglect in the San Jacinto campaign. Regarding this assault on General Houston, John Henry Brown said: "Captain Coleman was a gallant soldier, but an impetuous man, governed too much by passion. His assault on General Houston after having served on his staff at San Jacinto, was as unseemly as unjust."

J. W. Bunton said of this unfortunate affair:

"Some of Mr. Houston's friends suggested that Mr. Coleman be held responsible for his conduct. But General Houston viewed it as a ludicrous affair and replied: 'Poor Coleman is to be pitied. He has been made a tool that others may vent their spleen. I will let him reflect upon his own folly in his own way. He has rendered most valuable services to the country in the past and reforming may be restored to useful employment.' General Houston refused to utter one word of censure against Mr. Coleman at that time."

Mr. Coleman's pamphlet took the public by surprise. Opinion was divided as to the wisdom of such a course, some condemning and others approving. Of course General Houston's enemies, and he had many, welcomed Captain Coleman to their ranks. It has been said that Mr. Coleman later expressed regrets that the pamphlet was ever written. In speaking of this Captain R. J. Calder said:

"I knew Captain Coleman perhaps as well as any man in Texas. Some of his closest friends were uncompromising critics of General Houston, and after discussing with him the subject of the charges brought against General Houston, I became convinced that he was influenced to write the pamphlet by these critics, and that he was regretful of having written it, although he did not openly make such an acknowledgment."

When Coleman County was created from Travis and Brown Counties in 1858, it was named in honor of Robert M. Coleman, signer of the Declaration of Independence. When Coleman County was organized in 1860, the County Seat was also named in honor of Robert M. Coleman.

COLLIN McKINNEY

Signer of the Texas Declaration of Independence

His Birth and Early Life—Came to Texas in 1831—Delegate to the Convention Which Declared Texas Free of Mexico—Was on the Committee to Draft a Declaration of Independence—Member Congress of the Republic —Moved to Territory now Collin County—Representative in the Legislature—Death and Burial.

Mr. McKinney was a man of most admirable character. He possessed a spirit of progressiveness which dominated his life. No one of that group of pioneers exercised a more wholesome influence over those with whom he came in contact than Mr. McKinney. He lived a life worthy of emulation and was held in high esteem.

From some of the patriots who were associated with Mr. McKinney at Old Washington, early in 1836, we have secured information regarding him which enables us to place an estimate of his character. He went to Old Washington almost a stranger, but he left there highly esteemed by the brave patriots with whom he mingled. "There was something about Mr. McKinney's personality," said Richard Ellis, "that drew the delegates to him. He was a man of mature years and his open face was an index to his true character. While he mingled with the delegates within and without the little room where they met, he was never obtrusive. On the other hand, he was reserved among strangers. He was slow to reach conclusions, but when he once made up his mind, he could not be easily made to change."

Mr. William Menefee, one of the signers of the Declaration of Independence and later a well-known Senator in the Congress of the Republic, said this of Mr. McKinney:

"He impressed me as being a man of strong character. He was rather modest in his nature but when aroused he was full of fire. He was a friend and neighbor of Judge Richard Ellis, the President of the Convention. Judge Ellis appointed him on the Committee with Mr. Childress to draft a declaration of separation from Mexico, which afterwards became known as the Declaration of Independence. This was a distinguished honor and

was his introduction to the Convention. Mr. McKinney was not a very active participant in the proceedings, except in consulting with members around him whenever anything of special interest to him was up for consideration. But one time during the Convention did he exhibit impatience. That was when Mr. Everett proposed a postponement of action on the committee report submitting the Declaration of Independence. When this was done, Mr. McKinney arose from his seat and made a brief but impassionate speech against delaying action. When he sat down Mr. Everett withdrew his resolution. At this junction in the proceedings the cry 'Let's vote!' came from different parts of the assembly. But Judge Ellis was a parliamentarian and he called the body to order and proceeded to conduct the business of the Convention in an orderly manner. The Declaration of Independence, as reported by Mr. Childress, Chairman of the Committee, was adopted section by section and then unanimously adopted as a whole. This was followed by great confusion. Mr. Ellis declared the Convention at ease for ten minutes. Pandemonium reigned. Delegates rushed to Mr. Childress and heartily embraced him and grasped the hands of Messrs. McKinney, Hardeman, Gaines and Conrad of the Committee with Mr. Childress. About this time the towering form of General Houston stood on a bench in the midst of the boisterous delegates and cried out, 'Gentlemen, one word! Let us all pledge ourselves to remain in Washington until we complete our labors.' 'We will!' cried many voices. Order was then restored. President Ellis rapped for order and the delegates took their seats.''

Collin McKinney was born in New Jersey, April 17, 1766. His father moved with his family to the territory of Kentucky in 1780. Here he was reared and received a common school education. Kentucky at this time was sparsely settled and the white settlers had a most harrowing experience with the numerous savage tribes of Indians. Very early in life Mr. McKinney took part in the organization of forces to drive the Indians back in the protection of the white settlements against their raids. This continued over a period of several years, or until the section in which his father located became more densely populated and treaties with the Indians brought peace.

A number of years ago Mr. James W. Truitt, of Shelby County, began the collection of data regarding the early history and settlers of Shelby County. His investigations were particularly directed to the securing of information regarding those who participated in the war between the Regulators and Moderators in Shelby County. Mr. Truitt gathered a great many important

facts regarding the early settlers of Shelby district, and his investigations covered the Municipalities of Tenaha, Bevil and Jasper. Among the early settlers of this region of whom he secured very interesting history was Robert Sims. About ten years before Mr. Truitt's death he permitted me to examine his manuscript with the privilege of utilizing such portions of it as I desired. In his sketch of Robert Sims I ran across a most remarkable reference to Mr. Collin McKinney. Mr. Truitt advised me that his account of Mr. McKinney's operations in Tennessee was based on an autobiography of Mr. Sims furnished by his daughter, Mrs. Spivey. From Mr. Truitt's sketch I have gathered the following: When George W. Campbell resigned his seat in the United States Senate, from Tennessee, to accept the appointment of Minister to Russia, he left Mr. McKinney in charge of his vast land estate which he managed successfully from 1818 to 1821. Here he became acquainted with a number of prominent pioneers whose careers had made that state famous. Among this pioneer-adventure class with whom he became intimately associated was a man by the name of Robert Sims, a distinguished hunter and Indian trader. These men were opposite in temperament and ambitions, yet there was something in common between them that drew them together. Mr. Sims sprang from a good family of South Carolina, and was a nephew of Alexander Sims who represented that State in the Twenty-ninth and Thirtieth United States Congress. Robert Sims was endowed with a bright intellect, a ready wit and a spirit of daring. He was not fond of the restraints of civilization and, therefore, sought the wilderness of Tennessee. While Mr. McKinney was quiet and industrious in his habits he joined Mr. Sims in several of his adventures in the uninhabited regions of Tennessee and border States.

Francis Jones, a stalwart backwoodsman, serving in the Congress of the United States, became acquainted with Mr. McKinney and joined him and Mr. Sims on several of their hunting adventures, left this record of Mr. McKinney:

"Mr. McKinney proved to be an agreeable companion and entered into our sports with enthusiasm. He could skin a deer and dress a bear as quickly as any of us, and took a delight in doing it. He joined us around the camp fire in our sports and never found fault with our rough manners and talk. He acted as our umpire in settling trivial differences which arose —good humored differences about how to kill a bear with the least effort and danger, and like disputes. Mr. McKinney was a general favorite on our hunting trips and enjoyed them in spite of their uncomforts."

A short time before Mr. McKinney left Tennessee he established a trading post. This business was not genial to his nature and he disposed of his business and returned to Kentucky. From there he moved to Arkansas and settled near the location of the present Texarkana. A short time after Mr. McKinney settled in Arkansas, Mr. Sims moved to Texas and located in the territory which later became the Municipality of Tenaha, and became a most useful citizen. He later became involved in the troubles between the Regulators and Moderators and was killed in one of the raids of the Moderators, he being a member of the band known as Regulators.

Mr. Sims' oldest son, Henry Black Sims, later moved back to Tennessee and took possession of his father's old home, raised a family and died in Winchester in 1863, from a wound received in one of the battles of the war between the States.

Robert Sims left a wife and two daughters besides his son Henry Black. His wife died in Old Shelbyville in 1858. His daughter Nancy married Charles W. Clayton of Shelby County, but who later moved to Caddo Parish, Louisiana. The other daughter, Madge, married John Spivey, who later moved to Denton County where they both died, leaving no children. Old residents of Denton County speak in high terms of Mr. and Mrs. Spivey.

Robert Sims never forgot his old friend McKinney and visited him on Hickman Prairie soon after he came to Texas. He named his second son Collin in honor of Mr. McKinney. This son died in Shelby County in 1840, being eight years of age at the time of his death.

Mr. McKinney moved to the territory of Arkansas in 1824, and located near the present town of Texarkana. Here he became acquainted with Richard Ellis, with whom he consulted regarding the future of the Texas Colonies. It was through the influence of Mr. Ellis that he was induced to move to Texas early in 1831. He settled in Hickman's Prairie in the territory now known as Bowie County. He secured a large tract of land on which he established his home and engaged in agricultural pursuits. He soon became interested in the affairs of his new home. When the Convention was called to meet at Old Washington, March 1, 1836, he was prevailed upon to become a delegate. This he did and was elected over his opponent by a two to one vote. He was appointed a member of the Committee to draft a Declaration of Independence and was a signer to this instrument.

Mr. McKinney continued to take an interest in the affairs effecting the country after the organization of the Republic and represented Red River District in the Congress of the Republic. As a member of the First and Second Congresses he rendered conspicuous services in bringing order out of chaos. Moseley Baker, who served with him in the First Congress said this of Mr. McKinney: "Mr. McKinney was a conservative and safe lawmaker and recognized the importance of enacting laws that would give stability to the Republic. He sustained President Houston's policies as far as he thought them right, but did not hesitate to oppose those measures he thought unwise. He was consistent in his course and exercised a most wholesome influence."

In 1840 Mr. McKinney moved to the territory now known as Collin County, opened up a farm and engaged in agricultural pursuits, supplemented by the raising of live stock. He was most highly esteemed by his neighbors, and when a new county was created from Fannin County in 1846 it was named Collin in his honor—and when the County was organized that same year, he was still further honored by the naming of the County Seat, McKinney, thus perpetuating the memory of his full name, Collin McKinney.

Mr. McKinney represented Collin County two terms in the State Legislature, after which he retired to private life. He died there, September 8, 1861, and his remains were buried near the present town of Van Alstyne.

From a recent authorized sketch of Mr. McKinney, which appeared in the Van Alstyne Leader, November, 1923, it is learned that on February 13, 1792, Mr. McKinney married Miss Annie Moore. To them were born four children. Two of them, Ashley and Polly, grew to manhood and womanhood, and their descendants reside in Texas and other States. Mrs. McKinney died May 6, 1804. On April 14, 1805, Mr. McKinney married Miss Betsy Coleman. To this marriage were born six children, as follows: William C., Annie, Amy, Peggy, Eliza and Younger Scott. As far as is known Annie and Amy have no direct descendants. Peggy married Mr. Janes, Eliza married Mr. Milam and Polly Married a Mr. McKinney. The descendants of these daughters and the following sons, William, Ashley and Younger Scott, recently organized, at Van Alstyne, the "Collin McKinney Memorial Association." The object of this organization is to erect a suitable memorial to the memory of Mr. McKinney.

Mr. McKinney's father was a native of Scotland from which country he came to America. It is said that he was a member of the famous Boston "Tea Party," the first organized resistance of the American Colonies to England's rule in America, culminating in the American Revolution and the Declaration of American Independence at Philadelphia, July 4, 1776.

Mr. McKinney was a patriot worthy of our grateful remembrance. He lived a long and useful life among us and held our respect and love. He was a David among his countrymen and his exemplary life was worthy of emulation. "There was no man of that group of patriots who met at Old Washington who was more loyal to his Country and the principles for which it fought than Collin McKinney," said Governor J. W. Throckmorton in an address at McKinney in 1875.

SAMUEL AUGUSTUS MAVERICK

Signer of the Texas Declaration of Independence

Early Life—Came to Texas in 1835—Settled in San Antonio—Arrested by General Cos—Escaped and Led Milam into San Antonio—Elected Delegate to the Convention Which Met at Old Washington—Member of the Seventh and Eighth Congresses of the Republic—Commissioner to Open Route from San Antonio to El Paso—Member Secession Convention 1861—Commissioner to Negotiate Surrender of United States Troops—Established Business in San Antonio—Death.

Mr. Maverick was a man of education, culture and refinement, and left the impress of his splendid character and personality upon the State. There are many living who can testify to the fact that he was a man of extraordinary intelligence and that he became a factor in developing a spirit of progressiveness at San Antonio. Here he laid the foundation of great usefulness and wealth and as head of the House of Maverick, his name is a household word throughout the Southwest. We often see references to Maverick, the builder, but rarely is his name connected with his early deeds of sacrifice, heroism and patriotism, during the darkest day of the Texan's struggle to overthrow the power of Mexico's despotism and to establish in its stead, liberty and freedom.

Mr. William Menefee said of Mr. Maverick:

"He was one of the most polished members of the Washington Convention. He had been educated in the best schools of the country and his manners and general deportment indicated a refined nature. Mr. Maverick made no effort to display his polite learning, but it so dominated his nature that one could not help feeling it in his presence. Not only was he a man of superior mental training, but he was a man of tact and ability. His course at Old Washington was that of a diplomat and statesman. He watched the proceedings closely and gave his assent to every proposition looking to the establishment of our independent Government. He was a cautious man and counseled prudence in speech and act. He recognized that whatever the Convention did would but make Santa Anna more determined to crush opposition to his programme of subjugation. He was familiar with the prevailing sentiment in the United States regarding the

Revolution and he emphasized the necessity of cultivating that sentiment. 'Let our acts prove to the world that we are sincere patriots,' he said in a brief address before the Convention, 'and we need not fear the result. The people of the United States fought for the same character of freedom and independence for which we are battling and they will sustain us as long as our fight is just. Let us not deviate from the programme mapped out by our leaders and the God of War will give us the Victory.'"

Another one, a signer of the Declaration of Independence, Colonel Stephen W. Blount, spoke kindly of Mr. Maverick when he said:

"He impressed me by his several short, crisp talks before the Convention as being a man of a determined will, unyielding when advocating what he believed to be right, and uncompromising in favor of a definite programme of separation from Mexico."

Samuel Augustus Maverick was born in Pendleton District, South Carolina, July 28, 1803. Here he was reared. After completing a preparatory course in the schools of South Carolina, he entered Yale College and graduated in 1824. After his graduation he went to Virginia and began the study of law in the office of Henry St. George Tucker, and in 1826 he was admitted to the bar. He at once entered into the practice of law. He was very successful and accumulated a small fortune. In 1834 he moved to Alabama. Soon after reaching Alabama, he came in contact with agents of the Texas Government and from them learned of the conditions in Texas. He was very much impressed with the opportunities for investment in Texas and early in 1835 he arranged his business affairs and came to the State, settling in San Antonio. He was residing there when the Revolution broke out in October, 1835. When General Cos invested San Antonio in 1835, he was arrested with others because of his resistance to the military authorities. When the Texan troops marched against San Antonio for the purpose of driving out the Mexicans, Mr. Maverick escaped and joined the Texan troops, and when Ben R. Milam led a division of the Texan troops into San Antonio, December 5th, he acted as guide to the troops, moving down Soledad Street; being familiar with the streets and alleys he was able and did render great service to the troops.

After the defeat of the Mexicans and they had been driven from the country, Mr. Maverick continued his residence in San Antonio.

In January, 1836, Mr. Maverick was elected a delegate to the Convention at Old Washington, which declared Texas independent of Mexico, and assisted in framing the Constitution and was a signer of the Declaration of Independence.

After the battle of San Jacinto, Mr. Maverick returned to Alabama. While there he married Miss Mary Ann Adams, a Virginian by birth, a daughter of William Lewis and Agatha (Strother) Adams. This marriage took place August 4, 1836. The marriage ceremony was performed by Rev. Dr. Mathews of Christ's Episcopal Church, at her widowed mother's home on her plantation three miles north of Tuscaloosa, Alabama. Mr. Maverick did not return to Texas until January, 1838. In her "*Memoirs*" Mrs. Mary A. Maverick gives an interesting account of how she and Mr. Maverick spent the time from their marriage to their return to Texas. Their first child, a son, Samuel Maverick, was born May 14, 1837, while on a visit to Mr. Maverick's father at "Montpelier," in South Carolina. From there Mr. Maverick returned to Texas bringing his wife and infant child with him.

Regarding the return trip to Texas, Mrs. Maverick's "*Memoirs*" contain this interesting account giving an insight into the difficulties endured by the early pioneers:

"On October 14, 1837, baby five months old, we bade goodbye to "Montpelier" and set off for Texas. Father accompanied us half a day, and it was a sad sight to witness his grief when he at last parted with his son. My heart ached for the dear old man. We travelled in a carriage, Mr. Maverick driving and nurse Rachel and baby and myself the other occupants. In a wagon with Wiley as driver was Jinny, our cook to be, and her four children. Reached mother about the last of October, and stopped with her about six weeks, making final preparations. Mother consented to let my youngest brother, Robert, go to Texas with us. He was fifteen, but slight and pale, having been quite sick during the fall. My brother William was already in Texas.

"December 7, 1837, we set off for Texas. With heavy hearts we said goodbye to mother and my brothers and sister. Mother ran after us for one

more embrace. She held me in her arms and wept aloud and said: 'Oh, Mary, I will never see you again on earth?' I felt heartbroken and often recalled that thrilling cry. And I never beheld my dear mother again.

"Our party was composed of four whites, counting baby, and ten negroes. The negroes were four men, Griffin, Granville, Wiley and Uncle Jim; two women, Jinny and Rachael, and Jinny's four children, Jack, Betsy, Levinia and Jane. Uncle Jim was Roberts' man; Griffin, Granville and Rachael belonged to me, a gift from my mother, and the others were Mr. Maverick's individual property. We had a large carriage, a big Kentucky wagon, three extra saddle horses and one blooded filly. The wagon carried a tent, a supply of provisions and bedding, and the cook and children. We had a delightful trip all through, with the exception of four days' journey across a prairie swamp and one night's adventure with Indians. We occasionally stopped several days in a good place, to rest, to have washing done, and sometimes to give muddy roads time to dry; and we had no serious trouble or accident throughout. We crossed the Mississippi at Rodney and Red River at Alexandria, and came through bottoms in Louisiana where high water marks on the trees stood far above our carriage top, but the roads were good then. We crossed the Sabine, a sluggish, muddy, narrow stream, and stood upon the soil of the Republic of Texas, about New Year's Day, 1838.

"January 7, 1838, we occupied an empty cabin in San Augustine while the carriage was being repaired. This was a poor little village, principally of log cabins on one street, but the location was high and dry. We laid in a supply of corn and groceries here and pushed on through Nacogdoches to the home of Col. Durst, an old acquaintance of Mr. Maverick's. Mrs. Durst was a Virginia lady and a fine housekeeper. We spent a day or two there. Here we met General Rusk, also an old friend of Mr. Maverick's and formerly of Pendleton, South Carolina.

"We now had to travel in occasional rains and much mud, where the country was poor and sparsely settled and provisions for man and beast scarce. On advice we selected the longest road, but good, namely, the road leading via Washington, high up on the Brazos. From Washington we went to Columbus, on the Colorado, and thence about due south towards the Lavaca River.

"Now came a dreadful time. About January 26th we entered a bleak, desolate swamp-prairie, cut up by what was called 'dry bayous,' i. e. deep gullies, and now almost full of water. This swamp, crossed by the Sandy, Mustang and the head branches of the Navidad, was fourteen miles wide. We had passed Mr. Bridge's, the last house before we got into this dreadful prairie, and had to cross the Navidad before we got to Mr. Kerr's the next habitation. Every step of the animals was in water, sometimes knee deep. We stalled in five or six gullies, and each time the wagon had to be

unloaded in water, rain and North wind, and the men and animals had to work together to pull out.

"The first norther I ever experienced struck us here. This norther was a terrific, howling north wind with a fine rain, blowing and penetrating through clothes and blankets. Never in my life had I felt such cold. We were four days crossing this dreadful fourteen miles of swamp. The first day we traveled three miles and that night my mattress floated in water which fell in extra quantities during the night. The baby and I were tolerably dry; all the others were almost constantly wet during the four weary, monotonous days. But no one suffered any bad effects from the great exposure, and Mr. Maverick kept cheerful all the while and was not a bit discouraged that we could see. Said that water was better than mud to pull in; that we were only eight or nine miles from Kerr's. Our corn had given out and our provisions were about gone when on the 30th we reached the Navidad. The men 'hallooed' at a great rate and, after long, continued calling, men appeared on the opposite bank. Soon we were ferried over, and all were warmed, comforted, fed and treated like kinfolk. Mrs. Kerr and Miss Sue Linn were ever so nice to us.

"February 4th we reached 'Spring Hill,' Major Sutherland's home on the Navidad, where we all, except Mr. Maverick, remained until June 2nd. Mr. Maverick went to see whether it was safe to take us to San Antonio. He also visited Cox's Point on Matagorda Bay, opposite Lavaca, with a view of possibly locating there. There he owned land but he decided in favor of San Antonio. In February, at Sutherland's, two of our horses froze to death in a norther. April 18th Mr. Maverick went to New Orleans to purchase furniture, clothing, provisions, etc, for beginning housekeeping, and returned to us in May."

Mrs. Maverick's "*Memoirs*" is a veritable encyclopedia of events in the early history of Texas. It not only records the activities of Mr. Maverick during their early residence in Texas, but gives a brief summary of happenings in and around San Antonio during this period, and is therefore a most valuable contribution to our collection of historical records.

When the Mexican General Vasquez marched into San Antonio in 1842, Mr. Maverick took his family to the Brazos where they remained for several years, but he returned to San Antonio and was there when in September General Woll captured it and many prominent citizens of the place, Mr. Maverick being among the number. When Woll evacuated the place, he took them with him to Mexico. They were treated with great harshness by the

Mexican officers having them in charge. Mr. Maverick was confined in the Castle of Perote on the road from Vera Cruz to the City of Mexico, where with ball and chain he was made to labor on the streets and on the public works. He was held a prisoner until early in 1843.

Regarding Mr. Maverick's release from prison in Mexico, Mrs. Maverick's "*Memoirs*" said:

"On March 30, 1843, Mr. Maverick, W. E. Jones and Judge Anderson Hutchinson were finally released in the City of Mexico by Santa Anna. Our obligations to General Waddy Thompson can never be forgotten. General Thompson was a native of South Carolina, and a connection by marriage of Mr. Maverick's. He was the United States Minister to Mexico. After securing the release of Mr. Maverick, Jones and Hutchinson, he nobly exerted his influence to secure the release of all the other helpless and friendless prisoners, and he did not cease his efforts until he had succeeded in getting them all—all the survivors—liberated.

"On April 2, 1843, Mr. Maverick, once more free, left the City of Mexico and on May 4th he dismounted at our cabin on the Colorado, having been absent from his family eight and a half months, and a prisoner seven months.

"Mr. Maverick's only sorrow was that he had left so many friends and comrades in prison, and he felt almost ashamed when he met any of their families, who all, of course, came to see him—to tell them of his good luck and of the continued ill luck of the other captives."

While confined in the Mexican prison Mr. Maverick was elected a member of the Seventh Congress of the Republic. He was re-elected a member of the Eighth Congress.

Mr. Mavrick was one of the Commissioners who accompanied Captain Jack Hays, in opening up an overland route from San Antonio to El Paso. They had a most harrowing experience on the outward trip. They lost their way and suffered great privation. Finally, securing an Indian guide, they were led to San Alizario, where they secured food and other supplies and were enabled to continue their journey.

In relating incidents regarding this survey, Captain Jack Hays said:

"It was an experience that tested our nerves and power of endurance. One who has never passed through such an experience cannot imagine how depressed one feels when he realizes that he is lost and far from those

things necessary to sustain life. The bleak mountain ridges seemed to unite in one vast vista of desolation, and sky and floating clouds appeared to frown upon us. But with brave hearts and determined wills we trudged along, hoping that every hour would bring relief. Discouraged, worn and fatigued, we came upon some friendly Indians, whom we employed to guide us out of the desert fastness. We were kindly received at San Alazario and after replenishing our almost exhausted supplies, we completed our journey without any further delay.''

Mr. Maverick was a member of the Convention of 1845, which framed the Constitution for the State, preparatory to its entrance into the Union. He afterwards served as a member of the State Legislature. He was also a member of the Secession Convention of 1861 and was one of the Commissioners appointed by that body to negotiate a surrender of the United States troops under command of General Twigg at San Antonio. With this duty well performed, Mr. Maverick retired to private life and to the conduct of a successful business he had built up at San Antonio. He died September 2, 1870, leaving a large family surviving him. Mrs. Maverick, who survived him, was a woman renowned for her public spirit and charity. She was a woman of education and refinement and was esteemed far and wide for her benevolence.

Few men left a greater impress on the State than Samuel Augustus Maverick, and few men who took part in establishing the Republic of Texas contributed more to its achievement. As a member of the Convention of 1836, of the Congress of the Republic, of the Conventions of 1845 and 1861, he was consistent, patriotic and devoted to the cause of his country and an uncompromising foe to tyranny in every form and fashion.

When a new County was created from Kinney County in 1856, it was named in honor of Samuel Augustus Maverick, a signer of the Texas Declaration of Independence and member of the Congress of the Republic.

S. RHODES FISHER

Signer of the Texas Declaration of Independence

Early Life—Came to Texas in 1831—Delegate to the Convention at Old Washington, March 1, 1836—Appointed Secretary of the Navy—Resigned and died in 1839.

Mr. S. Rhodes Fisher, the first Secretary of the Navy under the Constitutional Government of the Texas Republic, was a most amiable and accomplished gentleman. He was modest and unassuming and avoided rather than sought notoriety. He was trained along business lines and had no relish for the excitements incident to a public career, although he willingly contributed his time and talents to public affairs when the exigencies of the time demanded his services.

He was born in Philadelphia, October 22, 1795. Here he was reared and educated in the best schools of that city. He began life as a government employee in the Naval Stores of Philadelphia. His habits of industry and strict attention to business soon won him promotion to the rank of commissariat; thus his familiarity with naval affairs. He later moved to New Jersey from which State he came to Texas in 1831. He located in Matagorda and opened up a mercantile establishment. Matagorda at that time was an important seaport town and many of the men who won fame and renown during the early struggles of the Texas pioneers lived there and from them Mr. Fisher imbibed the spirit of resistance to Mexican tyranny, and he took a deep interest in the incidents leading up to the Revolution. When the convention was called to meet at Old Washington, March 1, 1836, to complete the work started by the Consultation in November, 1835, he was elected a delegate to this convention, his colleague from Matagorda being Bailey Hardeman.

Mr. Fisher viewed the course about to be taken by the convention as one entirely justified, but he expressed fear that the success of the embryo Republic would be menaced because of lack of finances to meet its obligations. He also emphasized the

importance of a navy to protect the coast line. These questions were thoroughly discussed and provision made in the Constitution to provide for loans to the government to maintain the Revolution which was then being prosecuted.

When the committee appointed to frame the articles of separation from Mexico made their report, submitting a Declaration of Independence, he was among the first to express his approval of it, and very readily affixed his signature.

After the adjournment of the Convention, Mr. Fisher returned to his home and business at Matagorda, and began to lay plans to assist the Commissioners sent to the United Sates to solicit financial assistance. When President Houston was inducted into office as the first President of the Republic, he appointed Mr. Fisher Secretary of the Navy. Mr. Fisher held this position a short time when he resigned (1837) and resumed his business at Matagorda. He was succeeded by William M. Shepherd. In the meantime Mr. Fisher developed chronic disorder and died January, 1839. He left a family of boys and girls who became prominent in the affairs of the State.

When Mr. Fisher died, Richard Ellis, who was president of the convention which declared Texas independent of Mexico, said from the floor of the Senate: "In the death of Rhodes Fisher the Republic has lost one of its wisest defenders. He was a man of poise even midst times of stress and excitement. Well do some of us remember his cool and deliberate consideration of our acts at Old Washington, March, 1836; how his voice of caution rang out as men of zeal vied with one another in their precipitous rush to complete their labors of establishing a government and returning to their homes. So earnestly did he plead and so logical was his appeal that we were persuaded to follow his advice. * * * * * * . There was nothing of the braggadocio about him and he did not lack courage to express his opinions."

Governor E. M. Pease, whose early record in Texas has been referred to frequently in these pages, knew Mr. Fisher intimately, and I remember to have been present when he related

some incidents of his life to his son, Rhodes Fisher, of Austin, who was at that time Chief Clerk of the General Land Office under the administration of that matchless soldier, William C. Walsh. Governor Pease spoke in a reminiscent mood, and among other things said:

"I knew your father well. He was usually a very cool-headed man. I never saw him disturbed but once and that was when his seat in the Washington Convetion was being contested by a man by the name of Royall who was of a boisterous disposition and talked continually to the delegates about an attempt to cheat him out of his seat. Delegates continued to report to Mr. Fisher what Royall had said. At first he treated these reports with indifference, but he finally became impatient and spoke very emphatic, using some strong language—a cuss word here and there for good measure. He showed such resentment that he was not disturbed again."

When Fisher County was created from Bexar County in 1876, it was named in "honor of S. Rhodes Fisher, a distinguished officer of the Republic and signer of the Declaration of Independence."

JOHN FISHER

Signer of the Texas Declaration of Independence

Early Life in Virginia and Tennessee—Came to Texas in 1829—Became a Ranger—Fight with the Indians—Elected a Delegate to the Washington Convention.

John Fisher has been spoken of as "one of the noblest of that band of patriots who assembled at Old Washington for the purpose of establishing a free and independent Republic in defiance of Mexican tyranny."

Mr. Fisher belonged to a distinguished family of Virginians, many of whose descendants served gallantly in the early struggles for American independence and some of them served in the councils of the Nation.

John Fisher was born in Albemarl County, Virginia, March 8, 1800. His father was a successful agriculturist and gave his son John the advantages of good society and good schools. He grew to manhood amidst refining influence. In 1822 he accepted service with a mining company in Tennessee and remained with this company until early in 1828 when he returned to Virginia. Finding that his father's health had failed him, he resumed charge of his business. His father died in the fall of 1828. He then began to arrange his affairs to move to Texas. He had previously learned from agents he met in Tennessee something of Texas and her possibilities. Several of his friends and acquaintances had preceded him to Texas, and from them he had frequent communications descriptive of the country and the conditions of the people. He landed at Velasco early in 1829 and after spending a brief period in Columbia and San Felipe he proceeded to Gonzales. Here he met a number of his friends with whom he had had correspondence before coming to Texas. Among them were Jacob Darst, Henry Middleton, Edward Burleson, T. J. Gazley and Matthew Caldwell. He was greeted so cordially by these settlers that he made up his mind to locate permanently at Gonzales. Soon after locating he joined General Burleson on one or two expeditions against marauding bands

of Indians and was slightly wounded in one of the skirmishes with the Indians. He was brave and daring and won the esteem of all those in General Burleson's command.

From the period of his retirement from the military to his election as a delegate to the Washington Convention he was employed in different avocations. We find him in 1830-31 assisting in establishing land surveys.

Mr. Fisher was a participant in a meeting held at Gonzales, July 7, 1835. This meeting was called to enable the colonists of that community to give expression to their sentiments toward the Mexican Government. It must be remembered that Stephen F. Austin had not returned from his imprisonment in Mexico, and the citizens of Gonzales viewed it almost treason to utter speech, or perform acts, calculated to cause further hardships to be placed upon him. Meetings of a similar nature were being held in the different communities of the State and most of them adopted resolutions declaring loyalty to the Mexican Government and pledging obedience to her laws.

The citizens of Columbia had declared in convention, June 28, for the calling of a convention to form a "Provisional Government during the reign of anarchy in the State as it is without a Governor, Vice-Governor or Council." They recognized the Political Chief as the highest executive officer and he was urged to organize the militia "for the protection of the frontier," and that he suspend further orders until the whole people are consulted, and also that he recommend a similar course to the Political Chiefs of other departments of Texas.

As soon as the Columbia resolutions were made public, those opposed to a movement to organize became busy in an effort to defeat further agitation of the question. And thus when a convention of the citizens of Gonzales was called to meet, July 7th, Edward Gritten appeared on the scene and delivered a spirited address in which he stated that he was familiar with the purpose of the Mexican Government regarding Texas, and that it was favorable. "He spoke," said Eli Mitchell, one of the participants in this convention, "as if he had an intimate acquaintance

with the Mexicans' designs." Mr. Gritten's motives were not then understood, and his address had the effect of causing the introduction and passing of resolutions which were later repudiated by the people of Gonzales. These resolutions pledged loyalty to the Mexican Government and at the same time were condemnatory of the recommendations made by citizens of other departments.

Mr. Fisher belonged to the conservative wing of the Peace Party, that large body of patriots who favored a conservative course in dealing with matters affecting the Mexican Government, and he introduced a resolution which was adopted and which, in the absence of information relative to the conditions existing and the objects sought to be accomplished, might lead one to consider that he was not in sympathy with the spirit of resistance which lurked in the bosom of every Texas patriot. His resolution was as follows:

"Resolved: That we protest against any Provisional Government or organization contrary to the true intent and meaning of the Constitution and laws, tending to estrange the Jurisdiction of Texas from that of Coahuila as established by the constitutional act, unless the Federal Congress shall sanction the separation, and the loyalty and patriotism of the citizens of Texas shall challenge this benefit for us at their hands, and every act and deed, tending to interrupt the harmony and good understanding existing between Texas and the Federal Government, deserve the marked disapprobation and contempt of every friend of constitutional order in the country."

On July 19th a meeting of the Ayuntamiento and citizens of Gonzales was held. At this meeting it was stated that the resolutions of July 7th were based on a firm belief in the good faith of the General Government towards Texas, and its strict observance of the laws and constitution of the United Mexican States, and that "so long as the actions of the government justified this faith in its integrity, the people of Gonzales will continue their unqualified allegiance." "But," they said, "if it be discovered that the numerous reports are correct, that the government contemplates a formidable invasion of the rights and properties of the citizens of Texas, they hereby declare themselves resistance to such measures a virtue."

In his subsequent career Mr. Fisher demonstrated that he was a fearless patriot—loyal and true to the principles of liberty and justice.

When the convention was called to meet at Old Washington, March 1, 1836, Mr. Fisher was urged by Mr. Caldwell and others of his associates to become a candidate for a delegate to this convention. He permitted the use of his name and was elected. He attended the convention and when the Declaration of Independence was presented and adopted he became one of its signers After the battle of San Jacinto, and President Houston had been inaugurated the First President of the Republic, he returned to his old home in Virginia where he remained several months. On his return to Texas we next hear of him at Columbia where he was one of the agents of the Allen Brothers in their campaign to have the capital of the Republic located at Houston.

Mr. Fisher was described by Mr. Menefee as "a man of pleasing personality, weighed about 153 pounds, dark hair and dark gray eyes, quick in action and speech; firm but social in his nature.

Mr. James W. Fisher of Washington City, a grandson of John Fisher, informs me that John Fisher was accompanied to Texas in 1829 by two brothers, William S. Fisher and Henry Fisher. Both of these brothers, early after their arrivel, identified themselves with the settlement of the then Mexican State. William S. Fisher was a distinguished member of the Consultation which met at San Felipe in 1835. He represented the Municipality of Gonzales. He joined the army soon after the adjournment of the consultation and was Captain of Volunteer Company "I" in the battle of San Jacinto, and distinguished himself by his gallant conduct in this engagement. He was also a member of the First Congress of the Republic and Secretary of War in President Houston's Cabinet in 1837. In 1840 he joined the Army of the Republic of the Rio Grande and was at the head of two hundred men. He was captain of a company in the Somervell expedition. When Colonel Somervell turned back at the Rio Grande he became one of the Commanders of the Texans who proceeded

to Mier. In the battle which followed their entrance into Mier, he was severely wounded and surrendered to the Mexican army. He was carried a prisoner to the City of Mexico. Later released and returned to Texas. He died in 1845.

One of our writers of early Texas history states that William S. Fisher came to Texas in 1833. If the information supplied by James W. Fisher is correct this is an error. I am relying on the statement furnished by Mr. James W. Fisher, referred to above.

M. B. MENARD

MICHAEL BRANAMAN MENARD

Signer of the Texas Declaration of Independence

Early Life in the Fur Business—Lived Among the Indians—Became a Chief—Came to Texas in 1833—Traded with the Indians—Established Trading Post—Visited the Indians to Induce Them not to Join the Mexicans—Delegate to the Convention at Old Washington, March 1, 1836—Laid Out Galveston—Member of the Fifth Congress of the Republic—Death and Burial in Galveston.

Colonel Menard was another of the early pioneers whose services to the struggling Republic won for him the esteem and confidence of the people. He possessed a peculiar personality which gave him a personal attraction that charmed. He was endowed with a high order of talent, and had a ready wit that sparkled and glowed constantly. A man of rare intelligence, he had character, stability, enterprise and courage. He possessed a spirit of patriotism that guided him throughout his long career.

Mr. Menard was born of French parentage in the village of La Prairie, Canada, December 5, 1803. He developed into a robust youth, and was placed under the instruction of tutors of high order. He completed his academic studies in the summer of 1819, when he was employed by an American fur company with headquarters at Detroit. He remained with this company until 1821 when he changed his operations to the new State of Missouri and took the management of an extensive fur business, owned by an uncle, Perre Menard, who was at that time Lieutenant-Governor of the Territory of Missouri. This business brought him into close contact with the Indians with whom he grew very fond. He was induced to remain with them and was elected Chief of one of the principal tribes of Shawnees. He held this position among them for several years. He learned to speak their language and that of several linguisted groups. While Chief he headed several bands who held peace conferences with warlike tribes. He had a large frame and stood six feet, two inches, in his stocking feet. He was an expert horseman and

used the bow and arrow and rifle with great dexterity. His skill greatly impressed the Indians with his power and they regarded his as a superman. This gave him great influence over all the tribes with whom he was associated. When he relinquished his position with them in 1830, and sought civilization, the Indians with whom he was immediately associated were overwhelmed with grief.

He came to Texas early in 1833 and settling near Nacogdoches, resumed his trading with the Indian tribes of Eastern Texas. His operations carried him to all the Indian villages on the headwater streams of the northwest. He continued in this business two years, during which time he had many thrilling experiences as a result of jealousy of the tribes with whom he traded. Mr. Menard seldom spoke of his experiences among the Indians, but in a reminiscent mood he gave one of his personal friends, Hon. B. C. Franklin, a graphic account of his affiliation with the Shawnees in Missouri and his trading with the different tribes in Texas. From Mr. Franklin in 1873, the writer secured the information related here.

In 1835 Mr. Menard joined Messrs. McKinney and Williams in establishing a trading post on a small tributary of Trinity River, near the present line of Parker County. This creek was afterwards named Menard Creek in his honor. They also established a grist mill on this creek. This was the first mill of its character established in that section of the State.

When the Texas Revolution broke out and the Mexicans attempted to incite the Indians to overrun the country and massacre the women and children. Mr. Menard was appealed to by the Texas authorities to go among them, and by his personal exertions he succeeded in inducing them to desist from uniting with the Mexicans in the struggle about to be waged. His long residence and dealings with the Indians made him familiar with the things needful to allay their prejudice. He spoke their language and exerted a wonderful influence over them.

While visiting the Indian tribes Mr. Menard experienced many hardships. The inclement weather and swollen streams he en-

countered made travel difficult and hazardous. But inspired by the importance of his mission, he permitted nothing to hinder the continuation of his mission. He slept at night on the damp and cold ground in the open and, owing to the danger from savages surrounding him he avoided the comforts of the campfire.

Mr. Clem L. Dunham, who accompanied Mr. Menard on his dangerous mission to the Indian tribes, referred to this event in his life as the "most trying of all his experiences in Texas." "And," said he, "I have endured many hardships since entering the State in 1830. Mr. Menard never complained, although we swam streams and were exposed to many dangers, and slept on the damp ground without the comforts shelter could have afforded us."

This one act of Mr. Menard was the means of preventing the enacting of most horrible atrocities against a defenseless people. Had he failed in this mission of mercy, no one can contemplate what the result might have been.

This service set an example worthy of our reverence and his memory should be cherished by those enjoying the blessings of a civilization which Mr. Menard helped to establish.

It was a terrible moment in the life of the young Republic Mr. Menard helped to build, and his brave and courageous course won the plaudits of the colonists whose families would otherwise have been exposed to most cruel slaughter.

Mr. Menard was a delegate to the convention which met at Old Washington, March 1, 1836, and passed the ordinance of separation from Mexico and framed the Texas Declaration of Independence, and was a signer of that instrument.

Judge Fulmore in his history as told in County Names, tells us that "in December, 1836, at the first session of the First Congress, Colonel Menard obtained for the price of $50,000, a grant from Congress for a league of land on which the city of Galveston now stands, then unoccupied. He laid out the town and associating himself with a number of other gentlemen, he formed the Galveston City Company and was its first president, and thus launched the enterprise of the Island City, with which he was identified from that date until his death."

Colonel Menard represented Galveston County in the Fifth Congress of the Republic. He was a most useful member. He was the author of a bill establishing a system of finance by the issue of exchequer bills and thus providing a revenue which saved the credit of the country.

Colonel Menard died September 2, 1856, leaving a wife and one child, a son, Daniel Menard. His funeral took place from the Cathedral in Galveston and his remains were followed to their last resting place in the Catholic Cemetery by almost the entire population of the community.

When Menard County was created from Bexar County in 1858, it was named in "honor of Colonel M. B. Menard, a signer of the Declaration of Texas Independence."

AUGUSTINE BLACKBURN HARDIN

Signer of the Texas Declaration of Independence

Came to Texas with His Father and Brothers in 1825—Member of the Convention of 1833—Member of the Consultation of 1835—Delegate to the Convention at Old Washington, March 1, 1836—Something of the Hardin Brothers.

Augustine Blackburn Hardin was one of a family of illustrous patriots who contributed to the establishment of the Texas Republic by their sacrifices and valiant services. He was one of four brothers who immigrated to Texas with their father, Swan Hardin, in 1825. All of these brothers became prominently identified with the growth and development of the Colonies and occupied responsible positions in the State of Coahuila and Texas and the Texas Republic, and later in the American State of Texas. Their lives are so closely interwoven that it is almost impossible to write of the one without including the activities of the others. Augustine Blackburn Hardin was the second son of Swan Hardin, and was perhaps more prominently identified with the movements leading up to the Texas Revolution than any of the other sons. In coming to Texas the Hardins settled in the territory now known as Liberty County. They located on a large tract of land granted them under the laws of Coahuila and Texas, on which they established their homes. Soon after the Hardins settled that vast territory was embraced in the empresario grants to Joseph Vehlein. In a memorial drawn up by the Texas Convention of 1832, says a writer in TEXAS AND TEXANS, it was stated that settlers had located in the country between the San Jacinto and the Sabine, beginning with the year 1821, but up to 1832 no titles had been issued for their lands. A commission in 1834 issued about 350 titles to settlers of Vehlien's Colony.

The territory in which the Hardins resided was embraced in the District of San Jacinto and was represented in the Convention of 1832 by A. B. Dobson, George F. Richards and Rob-

ert Wilson. It was developed at this convention that the number of inhabitants was sufficient for the establishment of a new municipal government and, accordingly, the municipality of Liberty was created. The citizens of this municipality took a prominent part in the events leading up to the Texas Revolution.

When the Convention of 1833 was called to meet at San Felipe in April, Mr. Hardin was elected a delegate. The main work of this convention was the drafting of a constitution for Texas to be offered the government at the City of Mexico, for approval. Mr. Hardin took a prominent part in this convention and favored the plan to establish Texas a separate State from Coahuila. This request was not granted and Mr. Austin, who had gone to Mexico to present the Constitution to the Mexican Government and to urge its acceptance, had been arrested and thrown into prison. Distrust of Santa Anna's sincerety took root in the hearts and minds of the Colonists and a clamor for a General Consultation of all the people arose. Mr. Hardin joined Travis, Wharton, Moore and others favoring the calling of a consultation to decide on a course of actin. The Convention was called to meet at San Felipe in October, 1835, and Mr. Hardin was elected a delegate to it. The date fixed for the meeting of the Convention was October 16th. He was on hand at the appointed hour and date fixed for the meeting. A quorum failed to appear and the Convention was adjourned from day to day until a quorum arrived. Mr. Hardin remained at San Felipe throughout the period of waiting. Finally on November 3rd, a quorum having arrived, the Convention began its labors. Mr. Hardin was with the majority of the delegates favoring the organization of a Provisional State Government and gave support to Henry Smith to head the Government. When he returned to his home he called the citizens together in mass meeting and explained to them just what had been done and secured their pledge to give the Government support. The records show how loyally they kept their pledge.

When the Convention was called to meet at Old Washington, March 1, 1836, to further perfect the organization of an inde-

pendent government, Mr. Hardin was elected a delegate to this convention. Here he was the same firm advocate of liberty for the colonies as he was in 1835. When the Committee brought in its report with a Declaration of Independence he voted for its adoption and became one of its signers.

In speaking of Mr. Hardin at this convention Colonel Stephen W. Blount said: "Mr. Hardin was rather retiring in his nature, though he was firm in his advocacy of an independent government. He was warmly attached to Mr. Menard and these two delegates were constant companions. He spoke in a low tone and when talking looked his auditor square in the eyes. I remember well that when I was introduced to him he eyed me closely, and asked me a few questions regarding myself. He dropped his eyes and began wrapping a buckskin string around his fingers as if his mind was absorbed. He was courteous, however, and pleasant in conversation. He was a likeable man and had a trained intellect—the embodiment of honor, courageous, brave and loyal to his convictions and his country."

Mr. Hardin was born in Franklin County, Georgia, in 1789. His father moved to Maury County, Tennessee, in 1807. Here he was reared and received his education. He came to Texas in 1825 and settled on the east side of the Trinity River in the territory now known as Liberty County.

After Texas was annexed to the Union in 1845 Mr. Hardin retired from participation in public affairs and died July 27, 1871, at the home of his daughter, Mrs. Janet Green, eight miles north of Liberty. He was buried in the old family grave yard in Liberty County.

All of Mr. Hardin's brothers became prominent in the affairs of the Republic. Benjamin Watson Hardin was a member of the Ninth Congress. He died at his home in Liberty County, January 2, 1850.

William Hardin held the office of Alcalde of Liberty and later Judge of the County Court. He died in Galveston in 1839.

Franklin Hardin was surveyor of Liberty County in 1834. When the revolution broke out in 1835 he joined the Texas Army

and was elected First Lieutenant in the Third Company of the Second Regiment, Texas Volunteers; Sydney Sherman, Colonel, and William M. Logan, Captain, and participated in the battle of San Jacinto. After the battle he tendered the use of his premises, adjacent to Liberty, for the keeping of the Mexican prisoners captured in that battle. The Mexican prisoners were cordial in their praise of the kind treatment they received while detained there.

In July following the battle of San Jacinto, Franklin Hardin organized a military company and was elected its captain. That same year he was elected surveyor of Liberty County. In 1867 he was elected a member of the Texas Legislature. He died at his home in Liberty in 1878.

The youngest of the brothers, Milton Ashley Hardin, moved from Liberty County and settled in Johnson County and died at Cleburne in 1894.

Liberty County of the days of the Republic embraced not only the present County of Liberty, but also the territory covered by Hardin, Chambers, Polk, San Jacinto, Tyler and in 1839, Galveston County.

When Hardin County was created from Liberty County in 1868 it was named in honor of the Hardin family.

EDWIN OSWALD LeGRAND

Signer of the Texas Declaration of Independence

Came to Texas in 1832—Established a Home at San Augustine—Elected a Delegate to the Washington Convention—Signed the Declaration of Independence—Fought in the Battle of San Jacinto—Held County Office—Death.

Edwin Oswald LeGrand belonged to English stock. His grandfather, Peter LeGrand, came to America in 1700, and landed at Jamestown. He married Jane Misheaux. They raised three sons, Peter, Abner and Josiah. Peter and Lucy Nash later moved to Tennessee. Abner went to North Carolina and Josiah to Maryland. E. O. LeGrand was the son of Abner LeGrand. He was born in North Carolina in 1803, some records say May 28th, and others July 28th, but all agree that he was born in the year 1803. When quite a young man he moved to Alabama,and came from that State to Texas in 1832 and located at San Augustine. He soon selected a permanent location and began the development of a home. He was a man of boldness and daring and outspoken in his opposition to the Mexican military authorities in the State. "So fearless was Mr. LeGrand," said Col. John S. Roberts of Nacogdoches, "that we feared for his personal safety as there were a number of prosperous Mexicans in that section of the country whose sympathies were with the Mexican Government. Mr. LeGrand, however, was never molested."

When the Convention was called to meet at Old Washington, March 1, 1836, Mr. LeGrand became a candidate for a seat in this convention and was elected. He reached Old Washington the day before the Convention met and was an aggressive advocate of a separate and independent government for Texas.

"Mr. LeGrand," said Mr. Waller, "was an active participant in the proceedings of the Convention and used his influence to encourage those who were inclined toward a conciliatory course to stand out boldly for the establishment of an independent government. There were none of the delegates who opposed an independent government, but they were timorous and undecided as to the best course to pursue. Mr. LeGrand exercised a wonderful influence over them and they became more aggressive as a result of his course."

"When Mr. Childress' Committee brought in their report which embraced a clear cut declaration of independence from Mexico," said Mr.

Menefee, "Mr. LeGrand, with a stentorian voice cried out: 'All honor to Childress and his faithful co-workers. Let's adopt the report without the change of a word.' When he strode up to the Secretary's desk to affix his name to the Declaration of Independence he went arm in arm with several of his personal friends and stood with folded arms until they had signed their names when he took the pen and affixed his signature to it."

After the adjournment of the Convention Mr. LeGrand hastened to join General Houston's Army and fought as a private in Captain Kimbro's Company. "Mr. LeGrand was as brave on the battlefield as he was aggressive in cultivating a spirit of resistance to Mexican tyranny," said General Sherman in an address before the Senate of the Republic in 1839.

Mr. LeGrand was never married and consequently left no descendants. We have no record of his death, but Dr. C. W. LeGrand, of Hempstead, who is a near relative and who kindly supplied me with valuable data regarding him, thinks that he died in San Augustine in 1871.

Mr. LeGrand was described by Colonel Stephen W. Blount as being a "man of large frame, about six feet tall, and weighed between 180 and 190 pounds. He was impulsive and quick in speech and action. He had a bright mind and a fair education."

Those who knew Mr. LeGrand's home life tell us that he was a man of kindly disposition, met every one with a smile and a glad hand. He was fond of outdoor sport and made frequent visits to the cane breaks of Louisiana in search of bear. Josiah Lilly, of Natchitoches, said: "Mr. LeGrand was a true sportsman, a regular Sir Isaac Walton, on the sluggish streams of southwestern Louisiana; he was a good shot with the rifle and I have known him to kill a deer on the run long distances away."

One of Mr. LeGrand's neighbors, Lon A. Atterbury, left this record of him: "Mr. LeGrand was an obliging neighbor, a true friend and as loyal a patriot as ever lived."

Rev. Dr. George C. Crocket, of San Augustine, a writer of splendid ability and who is now engaged in historical research, has furnished me a very interesting review of Mr. LeGrand's life and career. This I am making a part of my story of Mr. LeGrand's life and achievements. Dr. Crocket sets out some

facts in the career of Mr. LeGrand not generally known.

Here is Dr. Crocket's sketch:

"Edwin Oswald LeGrand was born in or near Burke County, North Carolina, about the beginning of the last century, and came to Texas about 1833. He stopped in the then new town of San Augustine and at once took a prominent place among the citizens. From the name and from his appearance and general characteristics one would infer that he was of French Huguenot descent. He was a rather slender man, of dark complexion, quick, vivacious habits, extremely neat in his dress, a fluent conversationalist, and had a very alert mind. He was punctiliously polite in his manners, and entirely at his ease in good society whether of men or women.

"He, with S. W. Blount, was chosen to represent San Augustine County in the convention at Washington on the Brazos in March, 1836, and attended the deliberations of that body. He placed in nomination as Secretary of the Convention, Mr. H. S. Kimble, who was elected over W. A. Faris and E. M. Pease. On March 3rd he was appointed on the Committee on Privileges and Elections in the place of Mr. Coleman, who had resigned. On the same day he was appointed on a Committee to inquire into the actual condition of the army, etc. Along with S. W. Blount and Martin Parmer, who also represented San Augustine County until the separate formation of the District of Tenahaw, afterwards Shelby County, he signed the Declaration of Independence and the Constitution of the Republic.

"After the Convention adjourned he returned to East Texas and falling in at the crossing of the Trinity River with a Company of Volunteers from the Red Lands, under the command of Captain Leonard H. Mabbitt, he and S. W. Blount marched with them toward Houston's Army, and arrived within a few miles of them on the 20th of April. Hearing the firing he and Blount, with others who were on horseback, pushed on and joined them in the evening of that day and participated in the battle of the 21st, leaving the rest of the company to follow on the morrow. After this battle he returned to his home in San Augustine.

"In 1838 he was elected Chief Justice of San Augustine County, an office somewhat corresponding to that of County Judge at the present time.

"In 1846 his brother, James Branch LeGrand, and his brother-in-law W. C. Norwood, came to Texas and settled some ten or twelve miles south of the town, and he made his home with Mr. Norwood, in the old house still standing about half way between the towns of Macune and Broadhus, in San Augustine County, and lived there until his death. He died soon after the close of the Civil War at the age of sixty-eight years.

"Mr. LeGrand never married, but lived as has been said, with his brother-in-law, W. C. Norwood, whose son, Mr. James M. Norwood, remembers him well.

"He was a peaceable, quiet man, attending strictly to his own affairs, and owing to his companionable disposition was liked and respected by his neighbors. He held the office of Notary Public for many years, and although he was under scrutiny at the time when a series of land frauds were discovered in San Augustine County, his land deals all proved to be straight *bona fide* transactions.

The E. M. Pease referred to by Dr. Crocket afterwards became Governor of Texas. I became acquainted with him a number of years before his death in Austin, in 1890. I had a number of conferences with him regarding early Texas history and those who participated in the establishment of the Republic. He was one of them and was very fond of talking of his early experiences in the State and of those he knew intimately. He prepared, at my request, brief biographical sketches of some of the early pioneers whose deeds of sacrifice and patriotism contributed to the making of Texas. In his brief sketch of Mr. Edwin O. LeGrand I find this:

"Mr. LeGrand impressed me at Washington, on the Brazos, as being of a most energetic nature. He soon became acquainted with all the delegates and they became acquainted with him. He was a quick acting and quick speaking man; full of energy and good humor. He was dressed like a typical backwoodsman, but in temperament and language he betrayed his nature and good breeding. His conduct was always manly. He could be as serious in discussions as any one at the convention, but he preferred to be jovial.

"Mr. LeGrand was very fond of Martin Parmer who was one of the most unique characters of the Convention. He was constantly by Mr. Parmer's side when he was telling of his thrilling experiences in Missouri before coming to Texas and his experiences among the Indians of Eastern Texas. While Mr. LeGrand was held in high esteem by all the delegates at Washington he had a weakness of imbibing too freely of intoxicating liquor during the Convention and, while under its influence, he created great merriment by his witticisms and jokes told at the expense of the delegates. But Mr. LeGrand never became intoxicated to the extent of losing his head or departing from the path of decency. He was not the only one who patronized the groggery at Old Washington. Drinking was so common in those days that nothing was thought of it. Yet it was seldom one was seen in a state of intoxication."

Mr. LeGrand was a man of splendid character, brave and fearless in answering the summons to duty, and did his part in establishing a civilization where freedom could find a refuge.

ROBERT HAMILTON

Signer of the Texas Declaration of Independence

Came to America from Scotland and Settled in Texas in 1828—Delegate to Convention Which Met at Old Washington, March 1, 1836—Later Appointed Chief Justice of Red River County.

Robert Hamilton, one of the brightest minds among the early Texas pioneers, was a native of the highlands of Scotland. He was born at Blevard, March 24, 1783. He came to America in 1805, landing in New York. He remained in New York until 1810 when he moved to North Carolina. He was a man of education and refinement and found employment with one of North Carolina's educational institutions, having charge of securing endowment funds. While engaged in this work he traveled over a large territory and made a study of the country and people and the industries in which they were engaged. As a result of his investigations and studies he prepared a small hand book which was published in Glascow, Scotland, in 1820. I had the pleasure of examining this hand book in 1904, having secured it from Mrs. Rebecca Boone, of Wakeforest. It was a well written story, dealing with the early history of the Carolinas, with a description of the people, the country and products. A few years after the publication of this volume Mr. Hamilton visited a relative in New Orleans, and while there he met Mr. Sparks Hawkins, a relative of a Mr. Hawkins who had been associated with the Austin's in their Texas Colony plans. From Mr. Hawkins he secured information regarding Texas which greatly interested him. On returning to North Carolina he began arranging to move to Texas. In 1828 he, in company with several other families, started out on their long journey to Texas. He crossed the Red River early in September and selected a site on the south bank of that stream and located and developed a home. He had but few neighbors, but they recognized in him a man of splendid ability. Mr. Hamilton was contented to devote his time and energies to the promotion of the affairs of his own

community, but when the convention was called to meet at Old Washington, March 1, 1836, he yielded to the solicitation of his neighbors and became a delegate to that convention. It was largely through the influence of Richard Ellis and Alexander Horton of San Augustine that he was induced to go as a delegate to the convention. He made the trip to Old Washington on horseback, "reaching there," said Mr. Ellis, "several days before the date fixed for the convention." "As Mr. Hamilton was a stranger to most of the delegates, he was reserved," said Mr. Menefee. "But as he met and mingled with the delegates he became interested, and as we progressed with our work, he manifested a keen desire to render service. He favored the proposition to declare Texas free from Mexico and when the Declaration of Independence was presented he favored its immediate adoption, but readily yielded to the proposition to consider it by the convention as a Committee of the Whole and attached his name to it after it had been ratified."

"Mr. Hamilton," said Mr. Waller, "showed nervousness when the letter from Colonel Travis was read. He arose from his seat, and putting both hands in his pockets he walked over to a window opening on the main road and stared out without uttering a word. When General Houston arose to oppose the proposition to adjourn, he returned and took a seat directly in front of the General and became immensely interested in what the General was saying. When General Houston concluded his remarks he sprang to his feet and led in the applause.

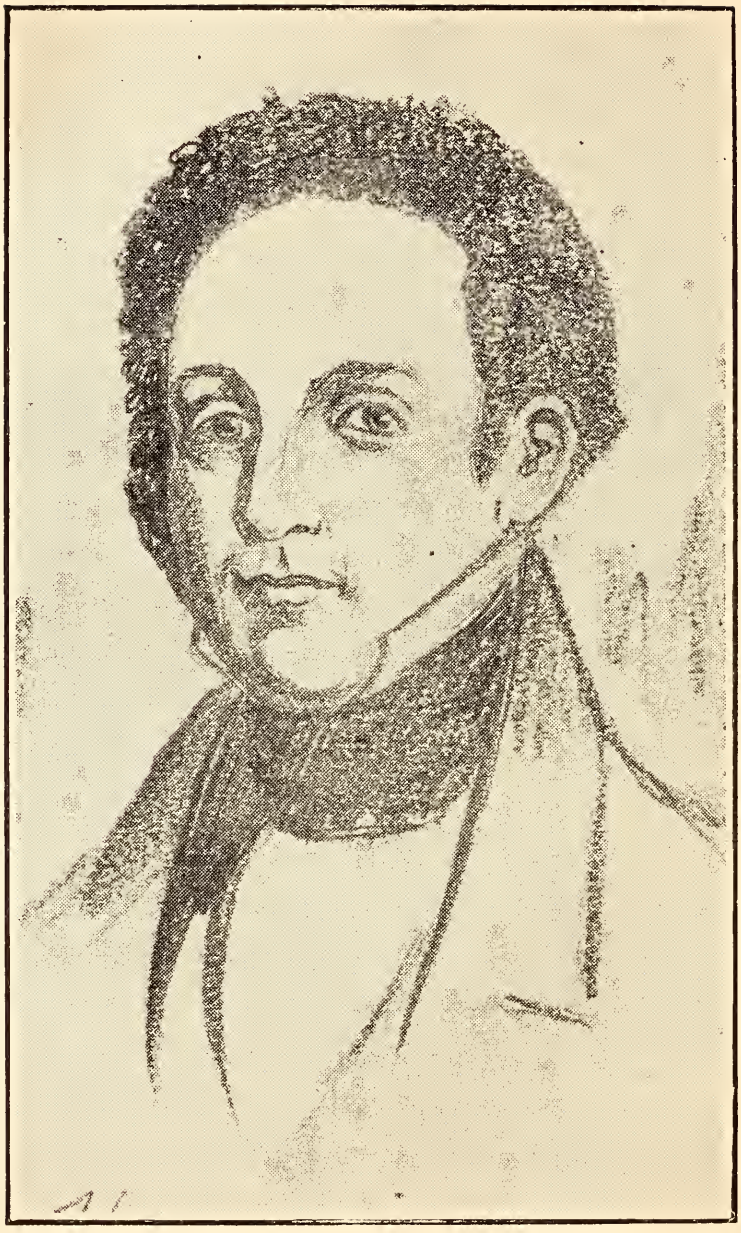
"Mr. Hamilton spoke with the Scottish brogue, chopped his sentences, and as he talked his eyes sparkled and his hands were in motion. He became interested in the discussion going on in the committee preparing the Constitution and sat with the committee a large part of the time the committee was in session."

After the adjournment of the Convention he hastened home with the intention of arranging his affairs to enable him to join General Houston in the field, but before he had completed this task, General Houston had won the Battle of San Jacinto and peace was temporarily restored.

A short time after General Houston took the office as the First President of the Republic of Texas, he appointed Mr. Ham-

ilton Chief Justice of Red River County. He accepted the office and performed its duties with great fidelity. He inaugurated many reforms authorized by the law, such as routing thieves, land "sharks" and criminals, high and low.

Mr. Hamilton had no political ambitions to serve and consequently was able to put in his time in useful service.



BAILEY HARDEMAN

BAILEY HARDEMAN

Signer of the Texas Declaration of Independence

Birth and Early Life in Tennessee—Came to Texas in 1835—Entered Military Service—Delegate to the Convention at Old Washington—Secretary of the Treasury in Burnet's Administration.

Bailey Hardeman's short career in Texas was one of honor and fame. He was a man of mature age and possessed well defined ideas regarding the rights of the Colonists. He was a successful advocate at the bar of Bolivar, Tennessee, when it became evident to him that the Texans were soon to be engaged in a conflict against further encroachments of Mexican despotism and he abandoned a life of ease and contentment to cast his fortunes with them and to share with them the hardships and privations incident to war with a nation ruled by tyrants. Immediately after reaching the State he entered into military service. He soon established a reputation for leadership, gallantry and bravery. When the Convention was called to meet at Old Washington, March 1, 1836, his neighbors elected him a delegate to that Convention, although he was absent from Matagorda on military duty. On learning of his election to this Convention he secured a temporary furlough from the army, that he might be able to attend its sessions. He arrived at Old Washington on the early morning of March 1st. After having secured quarters he began to mingle with the delegates, whom he greatly impressed by his earnestness and devotion to the cause which brought them together. Because of his mature years, pleasing personality and trained mentality, they recognized in him a safe and dependable counsellor.

"Mr. Hardeman may not be termed a brilliant man," said James Power in speaking of his appearance at the Convention, "but he was a man of good intellect, sterling character and enthusiasm. I am among the few who knew him, although his reputation for loyalty to the cause of the Colonists was known to many, and he was by no means a stranger. He made no effort to push himself to the front during the deliberations of the Convention, nevertheless, his talents and worth were soon recognized. He was ap-

pointed on the Committee to draft the Declaration of Independence and to frame a Constitution for the new Government about to be organized. These honors were not sought by him but they were honors sought by many of the delegates.''

When Mr. Childress presented the draft of the Declaration of Independence, Mr. Hardeman endorsed it in a brief address which caused great enthusiasm among the delegates and accompanied by Messrs. Childress, Potter and Rusk, he made his way to the Secretary's desk and fixed his signature to it.

''After the Constitution was presented and adopted,'' said Colonel Stephen W. Blount, ''Mr. Hardeman expressed a desire to at once return to the Army but he was prevailed upon to remain in Washington until the labors of the Convention had been concluded, and he was elected Secretary of the Treasury in Mr. Burnet's Cabinet. When his name was presented for this position he was greatly surprised, and when his election was announced he showed emotions of gratitude.''

Mr. Hardeman was born in Davidson County, Tennessee, February 26, 1785. He was a son of General Thomas Hardeman, an early settler of middle Tennessee, and a delegate to the Convention which met at Hillsboro in 1788 to consider ratification of the Constitution of the United States. He was also a member of the Convention that framed the first Constituion of Tennessee. He later moved to Southern Tennessee and organized a County which was named in his honor. Here Bailey Hardeman was reared and educated. He studied law and was admitted to the bar in 1807. He located at Bolivar, the County Seat of Hardeman County, where he built up a large and lucrative practice. In 1835 he and his brother, Thomas J. Hardeman, came to Texas and settled in Matagorda. From this place he was sent as a delegate to the Convention which met at Old Washington, March 1, 1836, and declared Texas independent of Mexico, adopted a Constitution and organized a Government, *ad interim.* He was elected Secretary of the Treasury of that Government, but died soon afterwards.

When Hardeman County was created from Clay County in 1858, it was named for the two distinguished brothers—Bailey and Thomas J. Hardeman.

STEPHEN H. EVERETT

Signer of the Texas Declaration of Independence

Came to Texas and Settled in Eastern Texas—Member of the Consultation—On Committee to Organize Government of Texas—Member of the Convention at Old Washington, March 1, 1836—Commissioner in Charge of Archives of Land Office at Nacogdoches—Member of First, Second, Third, Fourth and Fifth Senates of the Republic—Death.

Mr. Everett was a man of good breeding, high culture and rare patriotism. He was born in New York, November 26, 1807, and came to Texas before the breaking out of hostilities between Texas and Mexico. He located in the District of Nacogdoches. He soon became acquainted with the leading settlers of that section and became prominently identified with the affairs effecting their welfare. He was elected a delegate to the General Consultation which met at San Felipe in November, 1836, and was a strong advocate of separation from Mexico. When a resolution was adopted providing for the appointment of a committee to organize and put into operation a provisional government for Texas, he was appointed on that committee and performed the labor required of him with consummate skill. He believed in a strong organization and held that the government established should be given almost supreme power.

Mr. Everett was also a member of the Convention which met at Old Washington, March 1, 1836. He arrived at Old Washington early and met the delegates as they arrived and discussed with them the work to be accomplished; and when the convention convened he took an active part in its deliberations. While he was not always in agreement with the policies advocated by the leaders in the convention, he rendered good service in working out a programme to be adhered to by the convention. He was a strong advocate of a speedy and permanent separation from Mexico and when the committee headed by Mr. Childress presented a draft of a Declaration of Independence he favored its adoption without the changing of a word. When it was

adopted and enrolled he attached his signature to it. As he did this, he arose and said: "This is the proudest act of my life. By it I may have forfeited it, but I will die like a freeman should die, battling against tyranny."

After the organization of the government *ad interim,* Mr. Everett was appointed one of the Commissioners to take charge of the archives of the land office at Nacagdoches. The closing of the land office at Nacogdoches created dissatisfaction and confusion and to placate those desiring to secure their land certificates required diplomacy of high order. The commissioners acted well their part and the threatened trouble was averted.

At the first election of the Republic, Mr. Everett was elected a member of the First Senate, representing the Jefferson-Jasper District. He was re-elected Senator to the Second, Third, Fourth and Fifth Congresses without any intermission.

As a member of the Senate, he bitterly opposed President Houston's course in dealing with Santa Anna. He belonged to that group of patriots of the Republic who crippled their usefulness by unwise factional disputes. His criticisms of President Houston were severe and subsequent events proved them to have been unjustified.

Mr. Everett was doubtless actuated by the purest motives of patriotism, but like many others of his time, he allowed the enemies of General Houston to cause him to do and say unwise things. During Mr. Houston's second administration, however, Mr. Everett pursued a very conservative course and exercised a most wholesome influence.

Mr. Everett was a physician by profession and is referred to by our early writers as Dr. Everett.

Dr. Everett made his permanent home in Jasper County. He resided there when a member of the Congress of the Republic. His old home is a historical spot in Jasper County.

Mr. Everett died at his home in 1849.

JAMES GAINES

Signer of the Texas Declaration of Independence

Settled on the Sabine River—Established a Ferry—Took Part in the Fredonia Rebellion—Joined the Magee Expedition—Was with Dr. Long's Expedition—Delegate to the Washington Convention, March 1, 1836—Went to California in 1849—Died There in 1855.

James Gaines settled on the Texas border while Spain held sway over her destiny, a province of Spanish Mexico. During his long residence in her territory he witnessed and took part in several revolutions to wrest Texas from Spanish or Mexican control, and finally became an instrument to hasten the accomplishment of this end.

Mr. Gaines was born in Culpepper County, Virginia, in 1779. He belonged to one of the oldest and best known families of that State. He was a brother of General Edward Pennington Gaines of the United States army early in the nineteenth century. When in 1803, General Gaines, then a Lieutenant, was assigned to the task of making a survey of the waterways from Nashville down the Cumberland River to the Ohio and from thence down to New Orleans, he accompanied him on this mission; and when the United States troops were established at Natchitoches in 1805, he accompanied them to that place and opened up a mercantile business. Four years later he established a ferry across the Sabine River, near the northeast corner of the present Shelby County, at the crossing of the old San Antonio and Natchitoches road. This ferry became famous in Texas history and played an important part in the Fredonian Rebellion. It was here the United States established a Custom House, and it was here the Bowie Brothers made their headquarters while dealing in slaves purchased of Jean Lafitte on Galveston Island.

Mr. Gaines continued to conduct the ferry at this point until he joined the Magee-Guetteriez expedition of invasion of Texas in 1812. He remained in this revolutionary army against Spain

until the defeat of Elisando at San Antonio and the brutal murder of the Spanish officers followed. He then returned to his ferry on the Sabine and re-entered business. Mr. Gaines continued a strong advocate of the principles of the Republicans who continued their efforts to overthrow Spain's control over Mexican territory, and joined Dr. Long's revolution in 1819. But as the Royalist army so soon routed Dr. Long's troops that little is recorded of Mr. Gaine's connection with this resolution.

Before leaving Mississippi for Texas Dr. Long sent two of his force, Messrs. Jackson and Smith, to Galveston to secure the cooperation of Jean Lafitte. Their conference was satisfactory, but in a letter to Dr. Long, Lafitte asked for more specific information regarding his expedition. Messrs. Jackson and Smith joined Dr. Long at Nacogdoches and reported the result of their conference with Mr. Lafitte and delivered a letter from him requesting more detailed information regarding his plans. As a result Dr. Long sent other messengers to confer with Mr. Lafitte. They were headed by Mr. Gaines who bore a detailed account of Dr. Long's plans and a strong appeal to Jean Lafitte to unite with him in establishing an independent republic. Mr. L. D. Lafferty, who claims to have been a member of Dr. Long's force, says that he accompanied Mr. Gaines to Galveston. Regarding this event Mr. Lafferty says that "Mr. Lafitte refused to operate in conjunction with General Long on land, alleging that their combined forces were too small for such operations."

Soon after Mr. Gaines returned to Nacogdoches, Dr. Long concluded to visit Mr. Lafitte in person but he was frustrated in these plans.

Mr. Johnson, who served with Mr. Gaines in the Senate of the Republic, left this record of Mr. Gaines' visit to Lafitte:

"I remember Mr. Gaines' references to his experiences in the Magee and Long expeditions. He spoke of his visit to Lafitte at Galveston and gave some interesting incidents of that trip. He described Lafitte as a daring diplomat, ambitious and watchful. He said that Lafitte had complete mastery of his men and enforced a discipline that was astounding. Mr. Gaines found an old friend of his boyhood days with Mr. Lafitte and in private conference with him he intimated that Mr. Lafitte was expecting to be driven from the island at any time."

Mr. Gaines and Mr. Parmer never permitted their differences in the Fredonian affair to disrupt their friendship and Mr. Stewart said that they were frequently seen together at the Convention at Old Washington.

Mr. Edwards charged Mr. Gaines with being largely responsible for the trouble which brought on the Fredonian rebellion. In his letter to Stephen F. Austin, Mr. Edwards referred to Mr. Gaines in very uncomplimentary terms. Had the Edwards' revolt been successful Mr. Gaines would have been placed on the defensive. But as his course was sustained by Mr. Austin and other leaders in the colonies it is presumed that his course was the correct one. Then, too, the endorsement given him by his neighbors electing him a delegate to the Old Washington Convention should be accepted as conclusive evidence that his opposition to Mr. Edwards' course was in line with the policies prevailing at that time towards the Mexican Government.

The denunciation of Martin Parmer, who was the leader of the Fredonian Rebellion, by Mr. Austin was equally as severe as that of Mr. Edwards of Mr. Gaines. But subsequent events prove that neither was justified in their reflections on the characters of these men.

Mr. Gaines was a man of brilliant intellect and possessed a spirit of adventure and daring. His name is associated with many explorations of the unsettled wilds of the Texas wilderness. He accompanied Menard on one of his voyages among the Indians on the headwaters of the Trinity River and shared with Menard the hardships incident to unusually inclement weather for which they were not prepared. He had a wonderful influence over the Spanish settlers in eastern Texas and made friends of the Indian tribes in that section of the State.

When Hayden Edwards became involved in trouble with the original settlers on the lands he acquired for colonization, Mr. Gaines joined Mr. Edwards' opponents. Norris, the Alcalde, who led the assault in Nacogdoches on the Fredonians, was a son-in-law of Mr. Gaines. After a peaceful settlement of the controversy bringing about the Fredonian Rebellion, Mr. Gaines

continued to be held in high esteem by the colonists as he identified himself with all their troubles.

When a convention was called to meet at Old Washington, March 1, 1836, Mr. Gaines was elected a delegate to this convention. He attended all its sessions and was prominently identified with its proceedings. He was appointed a member of the committee to draft a Declaration of Independence from Mexico. He also served on the committee to draft a Constitution. When Mr. Childress presented the Declaration of Independence to the Convention on March 2nd, Mr. Gaines urged its immediate adoption and became one of its signers.

After the Constitution was finally adopted Mr. Gaines was appointed one of the committee to carefully go over it, correct errors in its phraseology and prepare it for publication.

Mr. Gaines did not relinquish his interest in public affairs after the adjournment of this convention and was elected a member of the Senate of the Fourth Congress of the Republic in 1839. He later moved to Bastrop County, where he resided until the gold excitement in California broke out in 1849, when he made that State his home. He became associated with Captain Jack Hays in some of his development enterprises. He died in Oakland, California, in 1855.

When Gaines County was created from Bexar Land District in 1876, it was named "in honor of James Gaines, a signer of the Declaration of Independence and member of the Congress of the Republic of Texas."

JESSE GRIMES

Signer of the Texas Declaration of Independence

Early Life—Came to Texas in 1826—Member of the Convention of 1833—Member of the Consultation in 1835—Delegate to the Convention at Old Washington, March 1, 1836—Senator of the First Congress of the Republic—Senator in Fourth and Eighth Congresses—Member House of Representatives in Sixth and Seventh Congresses.

Jesse Grimes has been described as a man of great originality and natural ability, of indomitable energy, affable and courageous. He did not have the educational advantages so necessary to develop one's latent talents, yet, notwithstanding this, he became a leading citizen of the Republic, and because of his strong character, manly bearing and patriotic impulses, he held the confidence and esteem of the people to his death.

He was born in North Carolina in 1788. Here he was reared on a farm and, being deprived of the opportunities of a completed education, he began life as a farm hand. Through his habits of industry and frugality he accumulated a small property. In 1819 he and several of his brothers moved to the new Territory of Alabama, cleared land and continued their pursuit of agriculture. Here they prospered, but the spirit of adventure had planted itself in their bosoms. Texas had appeared on the western horizon and in 1826 he and his brothers disposed of their lands, gathered up their movable property and started to Texas. They settled in a community in the Municipality of Washington, in Austin's Colony, in the territory now known as Grimes County.

Owing to Mr. Grime's superior intelligence and good judgment in matters affecting the colonists, he soon became widely known as a most useful asset to the country. He visited San Felipe and charmed Austin and other distinguished settlers by his original mode of expressing his views on current events effecting the colonists. From that time he became recognized as a man of worth and value.

When the Convention of 1833 was called to meet at San Felipe for the purpose of uniting in a protest against the laws and de-

crees under the administration of Bustamente, Mr. Grimes was elected a delegate. He became a conspicuous character among the leaders of that convention. He was also elected a delegate to the Convention which met at San Felipe in November, 1835. His colleagues in this convention were Asa Mitchell, Asa Hoxey, Philip Coe and Elijah Collard. He also served a brief time as a member of the Legislative Council authorized by the Consultation. When a convention was called to meet at Old Washington, March 1, 1836, he was also elected as one of the four representatives from the Municipality of Washington, the other delegates being Benjamin Briggs Goodrich, James G. Swisher and George W. Barnett. Mr. Grimes took part in the proceedings of the convention and was a strong advocate of the organization of an independent government for Texas, and when the Declaration of Independence was passed he became one of its signers. He was a strong supporter of the revolution. At the first election he was elected a Senator in the First Congress. He also served in the Senate of the Fourth and Eighth Congresses and a member of the House of Representatives in the Sixth and Seventh Congresses. He served as president *pro tempore* of the Senate.

Mr. Grimes was one of the best known men among the colonists and exerted an influence which few possessed. He was a close friend of Charles B. Stewart and they made frequent visits together to different sections of the country. On one of these trips they were the guests of Dr. B. B. Goodrich with whom they served at the Convention at Old Washington. In discussing this visit Mr. Stewart said:

"When we rode up to the home of Dr. Goodrich, he was dressing a large buck he had just killed in the Yeaga bottom. He stopped long enough to extend to us a cordial greeting and direct the disposition of our tired animals. Mrs. Goodrich, observing us, invited us to enter their comfortable home. We followed her and as we entered the house we noticed the form of a man wrapped in a heavy blanket, stretched out on an improvised couch near the window. Before we had had time to take seats the man sprang from the couch and rushed towards us with extended hands. It proved to be Tom Barnett whom we both knew and admired. He was just recovered from a severe chill. Mr. Barnett was on a land locating trip and was mak-

ing Dr. Goodrich's home his headquarters while performing this labor. I insisted that Mr. Barnett return to his couch, but he declined to do so and joined us in conversation. I shall never forget how Mr. Barnett was impressed by Mr. Grimes' odd and original manner of expressing his views. While Mr. Barnett had met Mr. Grimes on several occasions before, he had never talked with him at any length. In our general conversation Mr. Grimes referred to the slaughter of his son, Charles, at the Alamo, and said that while he had become reconciled to his death he could never become reconciled to the manner in which he was tortured. His language describing his son's death was extremely pathetic and as he proceeded both Mrs. Goodrich and Mr. Barnett broke down and wept and it was with difficulty I controlled my emotions. About this time Dr. Goodrich entered the house and the conversation quickly turned to common place subjects.

"The afternoon and evening were spent in a general discussion of the events transpiring in the Republic. Mr. Houston had been elected president of the Republic and Mr. Grimes had been elected a member of the Senate of the First Congress. This Congress was soon to convene at Columbia and Mr. Grimes had arranged his affair so as to be on hand at its opening session. He expressed himself boldly regarding the need of wise counsel in inaugurating an independent government without credit and political standing among the nations of the world. 'But,' he said, 'the Congress will be composed of many of the strongest men of the Republic and I feel that with Houston on the watchtower we will be able to steer clear of the breakers. We have a big task before us, but I am sure that we will be able to find a way out, and adopt a programme that will win us friends and give us credit abroad.'

"I was very much impressed by Mr. Grimes' statesman-like utterances. Both Dr. Goodrich and Mr. Barnett expressed confidence in the government's ability to establish itself on a firm foundation. Mr. Grimes was frank and made a most favorable impression on us all. His course in the Senate, and later in the House, was most conservative and met the approval of his colleagues and the country at large. I met Mr. Grimes frequently afterwards and he was always the same loyal and patriotic servant of the people. He was a broadgauged man, filled with a patriotic desire to serve his country."

Mr. Grimes had a son, Charles Grimes, among the defenders of the Alamo. He was eighteen years of age, yet he died in a heroic defense of his country.

When a new county was created from Montgomery County in 1846, it was named in honor of Jesse Grimes, a signer of the Declaration of Independence and statesman of the Republic of Texas.

WILLIAM B. SCATES

Signer of the Texas Declaration of Independence

Early Life in Kentucky—Came to Texas in 1831—Was with Texas Troops at Anahuac—Delegate to the Convention of March 1, 1836—Participated in the Battle of San Jacinto—Death.

William B. Scates made a record for daring and bravery very soon after reaching Texas in 1831. The first time we find his name connected with public affairs, after landing at Velasco in the Spring of 1831, was his association with that brave band that attacked Bradburn at Anahuac and rescued the Texans held in that fort. The part he played in this revolt against Mexican tyranny won for him the esteem of the colonists. When criticisms were heaped upon the leaders against Bradburn's high-handed usurpation, Mr. Scates boldly defended them. And when a few timorous souls of Liberty met in convention for the purpose of condemning Travis and others associated with him in his march against Bradburn at Anahuac, he denounced their acts with a severity that cut deep their pride. But he was as fearless as a tiger and could not be driven from his purpose to overcome the harm this group of Liberty citizens would have done had their spirit of criticism been permitted to go unchallenged. Mr. Scates' course met the approval of his neighbors and that of a majority of the citizens of Liberty. He completely broke the spirit of the peace party, as this group of men were called.

Mr. Scates was a Virginian by birth. He was born October 24, 1806. When he was a child his parents moved to Kentucky and here he was reared and educated, and here he started out in business. Kentucky was at that time frontier territory. It had within its bounds many desperate characters, men seeking adventure. It had, too, many stalwart characters, whose sole ambitions were to conquer the wilds and make them a place suitable for habitation. Mr. Scates' father belonged to the latter class. Many Indian tribes occupied the country. The majority of these tribes were friendly to the whites who poured into the

country from every direction. It did not take long, however, for the lawless to create friction between the Indians and the settlers. As a result, peace was broken and many fierce conflicts between the Indians and whites followed. The best people of the country were drawn into these conflicts, and the last two years of Mr. Scates' life in Kentucky were devoted largely to military duties.

Mr. Scates came to Texas in the Spring of 1831. After spending a short time investigating conditions in the new State he located in the Municipality of Jefferson. Very soon came on the conflict at Anahuac in which he took a prominent part. His course in this affair and closely following, attracted attention and he became a conspicuous figure.

From an unpublished manuscript furnished me by Mrs. Fannie A. D. Darden, I am taking the following which throws some light on Mr. Scates' career. She said:

"It will be recalled that late in 1829 Vice-President Anastanio Bustamente organized a revolution against Guerrera who, by force of arms, had assumed the presidency of Mexico. Guerrera was captured by the revolting army and executed by order of Bustamente. Bustamente was described as a bigoted, unprincipled, cold-blooded tyrant. As soon as Bustamente was in control of the government of Mexico, he inaugurated a policy which greatly annoyed the Texas Colonies. He had decrees passed which worked a great hardship on them. He followed these decrees by establishing military posts in Texas which he garrisoned. These posts were established at Nacogdoches, Velasco and Anahuac. Colonel Jose la Piedras was placed in command at Nacogdoches, Juan D. Bradburn at Anahuac, and Domingo de Ugartechea at Velasco. Troops were also located at San Antonio, Goliad, and at Fort Teran on the Neches. The commanders at Anahuac and Velasco began to inaugurate plans to harass the Texans. Bradburn became very offensive to the Texans. Among the things he did was to close all the ports in Texas except that at Anahuac. This act created great excitement as the colonists regarded it as a death blow to them.

"This was the condition which confronted William B. Scates when he landed in Texas. He visited Anahuac and Liberty and learned from Travis, and others, full particulars of the effect of Bradburn's high-handed acts in closing the ports. Soon following this the people of the Brazos met in convention of protest and commissioned Branch T. Archer, Geo. B. McKintry, to visit Bradburn and urge him to open up the closed ports. But Bradburn treated their appeal with indifference and refused to give any

relief. Early in 1832 Bradburn dissolved the Municipality of Liberty, arrested and imprisoned Commissioner Francisco Madero and removed the Alcalde, Hugh B. Johnson, and appointed new officers. This act caused the Texans to enter protest. As a result of all this Bradburn caused the arrest and imprisonment of a number of prominent citizens of Anahuac and Liberty, seventeen in all. Among them were William B. Travis, Patrick C. Jack and Samuel T. Allen. On learning of this outrageous conduct, William H. Jack of San Felipe, visited Bradburn and urged him to release his brother, Patrick C. Jack, and the other prisoners held by him or to turn them over to civil authorities for trial. This Bradburn refused to do and advised Mr. Jack that they would all be transferred to Vera Cruz for trial by court martial. When W. H. Jack returned to the Brazos and informed the people of Bradburn's purpose it greatly alarmed them and messengers were dispatched throughout the country to urge the people to join a movement to rescue the prisoners. Liberty was selected as the point of assembling. Among those who rushed to Liberty was William B. Scates. He joined the force organized and marched with it to Anahuac. They reached Anahuac the next day and at once selected a commission to call on Mr. Bradburn and demand the release of the prisoners. The commission called on Bradburn and had a long conference with him. Bradburn agreed to an exchange of prisoners. The Texans had captured a number of Bradburn's cavalrymen on their march to Anahuac. It was agreed that the Texans would retire from Anahuac, leaving the commissioners to receive the Texan prisoners, who were to be released the following day. But instead of carrying out his agreement, Bradburn attacked the Texans who escaped to the Texan troops. This deceitful course of Bradburn's greatly enraged the Texans and they retired with a full determination to secure recruits and attack the fort. In the meantime Colonel Piedras of Nacogdoches with a force of 150 men arrived near the camp of the Texans. A conference was held between Piedras and the Texans' officers and Piedras agreed to release the prisoners held by Bradburn. On arriving at Anahuac the Texans were released and turned over to the civil authorities at Liberty and Bradburn removed from office.''

This in brief is the story of the trouble at Anahuac in which Mr. Scates took a prominent part. The total number of Texans taking part in this expedition was 130 men.

During this brief military expedition Mr. Scates made many friends who became prominent in the affairs of the Republic.

It is known that Mr. Scates advised against the acceptance of Bradburn's proposition, that the Texans retire from Anahuac, and he would release the prisoners the next day. He favored an

immediate enforcement of their demands, that the prisoners be released. But when the majority of the Texans favored accepting Bradburn's terms, he reluctantly joined in the retreat from Anahuac.

When the convention was called to meet at Old Washington, March 1, 1836, Mr. Scates was elected a delegate to this convention. He took his seat in the convention and did his part in the formation of a government independent of Mexico. He was a bold and aggressive member of the war party and most heartily endorsed the Declaration of Independence and was one of its signers.

After the adjournment of the convention he hastened to join General Houston's army and participated in the battle of San Jacinto, and made an enviable record for bravery and daring. A few years later he moved to Fayette County where he married and settled permanently and reared a family of intelligent children. One of his sons, James Scates, served for a number of years as Tax Collector of that County. He later moved to Hondo, where he and his wife both died.

When the Texas Veterans' Association was organized at Houston in 1873, W. B. Scates joined the organization, registering from Weimer.

The exact date of Mr. Scates' death is not known. John Henry Brown said that he died about 1883. I have been able to locate a number of citizens who knew Mr. Scates, but they have been unable to furnish me the date of his death or any reliable data regarding his family, other than that recorded above.

FRANCISCO RUIZ

Signer of the Texas Declaration of Independence

Early Life—Opposed Spanish Rule—An Exile—Delegate to the Convention at Old Washington, March 1, 1836 Commissioner to Treat with the Comanches—His Son Alcalde of San Antonio when the Alamo Fell—Pointed Out the Bodies of Distinguished Dead—Opposed Texas Annexation to the United States—Member First Senate of the Republic.

Francisco Ruiz was a native born Texan, who early espoused the cause of the Texas colonists in their struggles against Mexican tyranny. He was born in San Antonio, August 31, 1772. He was educated in Spain. On completing his literary training in Spain he returned to San Antonio and joined his father in a business enterprise. His father owned a large ranch on the Nueces River and young Ruiz spent a large portion of his early life on this ranch. As he grew to years of mature manhood he became interested in the affairs effecting the people of his native state. He soon became recognized as an ardent advocate of the freedom of Mexico from Spanish rule. He became so closely identified with the movement to overthrow the yoke of Spanish rule that he was forced to flee to the United States to avoid arrest and imprisonment and perhaps death at the hands of the Royalist party. His exile in the United States lasted from 1813 to 1822. Returning to San Antonio in 1822 he re-entered a business career, giving attention to his large ranch holdings west and southwest of San Antonio. When Bustamente assumed authority in Mexico and ignored the rights guaranteed the Texas colonies by the Constitution of 1824, he openly denounced him for his bad faith toward the people of Texas. And when Santa Anna rose in revolt against Bustamente's reign Mr. Ruiz joined the Texans in their support of Santa Anna's announced policies. He was regarded both by the Mexican population of Texas and the American settlers as a most useful man and one who was capable of exerting a most wholesome influence over his

race. It will be remembered that the Mexican population of San Antonio was rather slow in its full support of all the measures of resentment by the American colonists. Many of them were loyal to the Texans to the core, but they were hoping that something would occur that would bring about peace before it became necessary to resort to arms. When the Washington Convention was called, however, they no longer hesitated to join their forces with the American settlers to work out a governmental policy that would result in freedom from Mexican tyranny. Mr. Ruiz was elected a delegate to this convention. He attended and became a signer of the Declaration of Independence. Mr. Ruiz was not a stranger at Washington. He had performed valuable services for the country previous to the Washington Convention.

The necessity of establishing peace relations with the Indian tribes of the State was an important question with which Governor Smith and the General Council had to deal when they learned from reliable sources that the Comanches were in a state of hostility against the Texans, but were willing to suspend hostilities for twenty days for the purpose of meeting Commissioners and making a treaty of peace. The Governor and Council appointed five Commissioners to meet a like number from the Comanches. The following Commissioners were selected: Edward Burleson, J. C. Neill, John W. Smith, Francisco Ruiz and Boyd Lockhart. The result of the meeting these gentlemen held with the Comanche Chiefs is a matter of history, and need not be referred to here except as it pertains to Mr. Ruiz, whose life we are considering. Francisco Ruiz and John W. Smith were personally acquainted with the leading Chiefs of the Comanches and consequently exerted an influence over them that enabled the Commissioners to deal with them in a prompt and business-like way. In speaking of the conferences with the Comanches, prior to going into actual treaty programme, Mr. Burleson said: "Mr. Ruiz was looked upon by the Comanches as one who understood their grievances and complaints, and consequently they had great confidence in him. All their remarks

were addressed to him. Mr. Ruiz observed this situation, but he was cautious in all he said to them through our interpreter, Captain Neighbors. We found him a safe and conservative man, though he had the Spanish impatience and became annoyed sometimes at the delays which could not be avoided.'' Mr. Lockhart also left a record of kind words for Colonel Ruiz as he called him, in his diary.

Mr. Ruiz's conduct at Old Washington was that of a patriot. He backed Lorenzo de Zavala in his statements to members of the convention, that the Mexicans at San Antonio and other points in Southwest Texas, would remain loyal to Texas in battle against Santa Anna. This statement was verified by Seguin and his brave Mexicans who fought gallantly side by side with the Americans at San Jacinto.

Mr. Ruiz married Manuela de la Pena. They had two children, Francisco Ruiz, Jr., who married Conception de Soto, and Antonia, who married Bas Herrera. His son, Francisco, Jr., was Alcalde of San Antonio in 1836. After the fall of the Alamo he pointed out to Santa Anna the bodies of Travis, Crockett and Bowie. This was done at the request of Santa Anna. Mr. Ruiz made a statement which was translated by J. M. Quintero and published in the Texas Almanac, that he counted 182 bodies of slain Texans who were burned by the order of Santa Anna.

When the question arose of entering Texas into the United States as a State Mr. Ruiz openly opposed it. He claimed that the matter should be left entirely to those who had made the sacrifice necessary to wrest Texas from Mexico and not to those who had but recently come to the State and did not appreciate the struggles through which the early pioneers had passed. When the Republic became a State of the Union Mr. Ruiz left the country. He said he could not live in Mexico because he would not tolerate their government, so he sought a home among the Indians on the frontier. ''Mr. Ruiz ardently loved Texas,'' said Miss Adina de Zavala, ''and did not approve of her independence being so soon surrendered. He was opposed to owing allegiance to any country except Texas.'' As old age crept upon him

he returned to his home in San Antonio where he soon thereafter died.

Mr. Ruiz was a member from Bexar of the First Senate of the Republic.

As an evidence of the high esteem in which he was held by the citizens of San Antonio, his native city, one of her streets was named in his honor. One of the public schools of San Antonio also bears his name.

A picture of Colonel Ruiz was among those sent to the St. Louis World's Fair in 1904, the collecton having been made for Mrs. Adele B. Looscan of Houston, by Miss Adina de Zavala and Miss Sarah Adams of the De Zavala Daughters of the Republic, at San Antonio.

It was through the courtesy of Miss Adina de Zavala of San Antonio that many of the incidents in the life of Mr. Ruiz recorded here were secured.

DAVID THOMAS

Signer of the Texas Declaration of Independence

Birth and Early Life in Tennessee—Came to Texas in 1835—Entertained Houston at Refugio—Elected Delegate to the Washington Convention—Was Attorney General in Burnet's Cabinet—Died from Accidental Gunshot Wound Soon After the Battle of San Jacinto.

David Thomas belonged to a distinguished family. Many of the near relatives of his forbears distinguished themselves during the Revolutionary War; some in the War of 1812, and some in the War between the States. Some of them occupied positions on the bench, some in civil life and some in legislative halls. David Thomas was a prominent member of the United States Congress from New York, from 1801 to 1808. Another one of his family, Isaac Thomas, served in the Fourteenth United States Congress from Tennessee, 1815 to 1817. Another one, James Houston Thomas, who was born in North Carolina and reared in Tennessee, served that State at AttorneyGeneral from 1836 to 1842 and was a member of the Thirtieth, Thirty-first and Thirty-sixth Congresses. Phileman Thomas, also of the same family, was born in Virginia in 1763, served in the Revolutionary War, moved to Kentucky, was a member of the Constitutional Convention and then in the Kentucky Legislature. He moved to Louisiana in 1806 and settled on the Mississippi River, became the leader in an uprising against the Spanish in the territory now embraced in Mississippi and Louisiana, 1810-11; was Major General of the Louisiana military when war broke out between Great Britain and the United States, in 1812, and took part in that war; later represented the Baton Rouge District in the Twenty-second and Twenty-third Congresses, 1831 to 1835; died in Baton Rouge, Louisiana, November 18, 1847.

David Thomas, the signer of the Declaration of Independence of Texas, was born in Tennessee in 1801. Here he was reared and educated, having graduated from the best educational institutions of that State. He studied law and was engaged in the prac-

tice of his profession when he learned that his old friend, Sam Houston, had gone to Texas and was attempting to establish a Republic between the Sabine and the Rio Grande. He came to Texas early in 1835 and settled in the southwest, identifying himself with the settlers in the Hewiston-Power Colony in the Municipality of Refugio.

When General Houston was sent to Goliad and Refugio by Governor Smith to investigate the situation and, if favorable, to assume command of Johnson's and Grant's troops rendezvousing at Refugio, Mr. Thomas met him and extended to him many courtesies, and he and Mr. James Power were instrumental in having Refugio endorse him as a delegate to the convention which had been called to meet at Old Washington. Mr. Thomas was elected from Goliad to this convention and Mr. James Power and Edwin Conrad were elected from Refugio. Mr. Thomas became an active participant in the proceedings of the convention and when the time came to sign the Declaration of Independence, all of these delegates from Refugio and Goliad went together to affix their name to it. They signed their names in this order: James Power, Sam Houston, David Thomas, Edwin Conrad.

On the day that the Declaration of Independence was adopted and signed a committee was appointed to draft a Constitution. Mr. Thomas, Mr. Houston and others were added to the committee later.

When a Government *ad interim* was formed by the election of David Burnet, President, and Lorenzo de Zavala, Vice-President, Mr. Thomas was appointed Attorney General in Mr. Burnet's Cabinet. He accompanied Mr. Burnet to Harrisburg and was with him when he made his flight from Harrisburg through New Washington and on to Galveston.

A short time after the battle of San Jacinto and while on his way from Galveston to San Jacinto on the supply boat Cayuga, a gun was accidentally discharged. The ball entered the leg of Mr. Thomas. From this wound he died two days following. His

untimely death greatly shocked his friends who held him in highest esteem.

President Burnet was greatly effected and gave vent to his sorrow in this language:

"The sudden taking away of David Thomas was a great shock to us all. He was held in highest personal regard by all who knew him. He was a most charming companion, a talented diplomat, a polished scholar, a learned lawyer, a brave and loyal patriot. He left a record for valor that will live for all time."

Mr. William Secrest, who was one of the guards on the Cayuga, said:

"We had great difficulty in stopping the flow of blood and Mr. Thomas suffered greatly while enroute, as the water was rough and we passed through several squalls before reaching San Jacinto, where he died."

Mr. A. Buffington, who fought in the battle of San Jacinto, said in 1873:

"I was at San Jacinto when the ship landed with supplies. I assisted in unloading the vessel and remember that Mr. Thomas appeared to be suffering greatly. He looked pale and emaciated but did not complain. He was taken the following day to the home of Vice-President de Zavala, where he died soon afterwards. Dr. Jones attended him but the heavy loss of blood had reduced his strength and power of endurance. I do not know where he was buried as I left for my home in Montgomery County shortly after his death."

Mr. Thomas' one year in Texas was one of great activities and one in which was laid the foundation of civil liberty and freedom and one which offered opportunities to lay a nation under obligations of reverence.

BENJAMIN B. GOODRICH

BENJAMIN BRIGGS GOODRICH

Signer of the Texas Declaration of Independence

Family History—Studies Medicine—Enters Politics—Comes to Texas—Brother Slain at the Alamo—Member of the Consultation of 1835—Delegate to the Convention at Old Washington, March 1, 1836.

Dr. Benjamin Briggs Goodrich's name is indelibly stamped on the pages of Texas history because of the part he took in freeing the State of Mexican despotism and establishing in its stead freedom and liberty. Texas was a wilderness when he reached it. There was little evidence of American civilization in that region he selected to locate. It was a beautiful country with its rolling prairies, dense forests and rippling brooks—its lakes and rivers. The deer, the bear and the turkey afforded no end of sport, and the choicest foods at all seasons of the year. There was nothing to mar a life of ease and comfort except an occasional visit of bands of the wild savages, and the settlers of that vast expanse soon learned the season of their visitation and how to avert their savage attacks and to defeat them and drive them back. Dr. Goodrich took part in several skirmishes with these predatory bands and assisted in their defeat and rout. He was accustomed to the scenes incident to pioneer life—to its hardships and privations, having lived on the frontier of Tennessee and Florida before civilization had tamed its wilds.

Dr. Goodrich was of English origin, his forebears having settled in Virginia before the Revolutionary War. His grandfather, John Goodrich, was a Lieutenant in the Fourth Virginia Battalion in the American Revolutionary War. A geneological glimpse of the Goodrich family in America shows that Dr. Goodrich was a descendant of Zacheus Goodrich who came to America about 1715. From him sprang the Goodriches of Massachusetts, Connecticut, New York and Virginia. There was a long line of Goodriches in these several States, many of whom took a prominent part in establishing the independent empire of America and many of them, at a later day, became prominent in the law-

making body of the nation. It is not out of place to mention some of these as it will serve to illustrate the material from which Benjamin Briggs Goodrich sprung. Chauncey Goodrich was born in Connecticut in 1759, was educated at Yale College, studied law, served in the Connecticut Legislature in 1793 and in the Fourth, Fifth and Sixth United States Congresses, 1795 to 1801, was a member State Executive Council 1802 to 1807, United States Senator 1807 to 1812, resigned and was elected Mayor of Hartford 1812 to 1815, Lieutenant-Governor 1815. Died August 18, 1815. Elizur Goodrich, born in Connecticut 1761, graduated in law at Yale College, was presidential elector in 1797, member of Sixth United States Congress, appointed Collector of Customs at New Haven by President Adams in 1801, was removed by President Jefferson, seventeen years Judge of Probate Court, Professor of Law Yale College 1801 to 1810, Mayor of New Haven 1803 to 1822, died November 1, 1849. John Zacheus Goodrich was of the Massachusetts branch of the family; was born September 27, 1804, member Thirty-third United States Congress, member of the Peace Congress 1861, Lieutenant-Governor, Collector of Customs at Boston 1861 to 1865, died 1885. Milo Goodrich was born in New York 1814, held many important offices, member of the Forty-second Congress and died in 1881.

Benjamin Briggs Goodrich was born in Brunswick County, Virginia, February, 1799. His father's name was John Goodrich. When young Goodrich was a child his parents moved to Tennessee and settled near Nashville. Here he was reared and given an academic education. He entered a medical college at Baltimore from which he graduated. He began the practice of medicine in Baltimore. He later returned to Tennessee where he resumed his profession. After a short residence in Tennessee he moved to Mississippi and located at Vicksburg. From here he moved to Tuscaloosa, Alabama. From there he drifted to Tallahassee, Florida. Not satisfied here he returned to Alabama and very soon began a political career and served one term as a member of the Alabama Legislature. While serving in this

capacity he became interested in Texas, and early in 1833 he came to Texas and settled in what was then known as Montgomery County, but now Grimes County. His youngest brother, John C. Goodrich, accompanied him to Texas and perished with Travis and his brave companions in the Alamo.

Soon after reaching Texas Dr. Goodrich, through the assistance of Jesse Grimes, secured a tract of land not far from the present city of Navasota and resumed the practice of medicine. His practice extended over a large territory.

Dr. Goodrich was fond of excitement and the stirring events of that period did not disturb him. He soon became known as a man of great courage. Men of his type were welcomed and his personal popularity grew as he became better known.

When the Consultation was called to meet at San Felipe, October 16, 1835, Dr. Goodrich was elected a delegate. He was also elected a delegate to the Convention called to meet at Old Washington, March 1, 1836. His colleagues to this Convention were James G. Swisher, Geo. W. Barnett and Jesse Grimes. He took part in its proceedings and made many friends among the delegates. He was outspoken in his advocacy of a separation from Mexico and therefore a strong supporter of the Declaration of Independence and the Constitution adopted by the Convention and became a signer to both of these instruments.

Dr. Goodrich continued to reside in Grimes County where he raised a large family.

A short time before coming to Texas Dr. Goodrich married Miss Serena Crothers, who was born, reared and educated in Kentucky. She was of a good family, cultured and refined and endured the hardships and privations of pioneer life with a patience that was sublime. They raised a large family, nine of their children reaching the years of maturity. Captain Ben Goodrich, a prominent attorney of Los Angeles, California, and a son of Dr. Goodrich, has kindly supplied me with many interesting facts regarding his parents and their family. From his statement I am able to give a brief reference to each of the nine children, thus giving value to this sketch of Dr. Goodrich. His

son, John Goodrich, lived in Grimes County until his death in 1851. He married Mary E. Rogers. Virginia married John B. Harris of Anderson. After the death of Mr. Harris she married A. W. Scoble and both of them died in Fort Worth. Serena Maria married Lemuel P. Rogers. He died in Grimes County. Ben Goodrich was born in Grimes County where he lived and practiced law until after the war between the States. He joined the Confederate Army in 1861 and was First Lieutenant of Company D, Eighth Texas Regiment. He resides in Los Angeles, California. Eugenia was married to B. W. Pearce of Grimes County, both of whom died in Navasota. Elizabeth Briggs married James L. Scott. They both died in Grimes County. Mary Rhoda married James L. Muldrew. Mrs. Muldrew resides in Navasota. Briggs married Rosa Meadow. He was a lawyer by profession. He moved to Tombstone, Arizona, where he practised law in partnership with his brother, Ben Goodrich. He later moved to Phoenix and soon thereafter was elected Attorney General of Arizona and in 1889 he died while holding this office. The youngest son, Dr. William Goodrich, lived and died at Navasota.

Dr. Benjamin B. Goodrich died in Navasota, Texas, in November, 1860.

Edwin Waller, who served with Dr. Goodrich at the Washington Convention and afterwards appreciated his friendship, said this of him: "Dr. Goodrich was a man endowed by his Creator with a bright intellect. He was a close student and a great reader. He was cordial to strangers and an excellent neighbor. He was loyal to his country and as pure a patriot as ever made a sacrifice in behalf of liberty.

Mr. Charles Stewart added this testimonial of his splendid character: "Ben B. Goodrich was a sincere patriot and a brave defender of the Republic during its darkest days. His memory deserves to be revered for his noble deeds and pure life."

JAMES B. WOODS

Signer of the Texas Declaration of Independence

Birth and Early Education—Came to Texas in 1832—Joined the Hardins at Liberty—Member Consultation 1835—A Member of the Convention 1836.

James B. Woods was a native of Kentucky. He was born in the territory of that State now known as Mercer County, January 21, 1802. This was just ten years after Kentucky had been admitted into the Union, which occurred during the Second Congress, June 1, 1792. Here Mr. Woods was reared and given a liberal education and training. On coming to Texas in 1832 he located in the Municipality of Liberty and entered a business career. Very soon after reaching Texas he became associated with the Hardins in some of their business enterprises, which were very successful. Mr. Woods was recognized as a business man of ability. He was personally very popular among the early settlers of that section. He was related to W. B. Scates, one of the prominent men of that period and a signer of the Declaration of Independence. When the consultation was called to meet at San Felipe, Mr. Woods was elected a delegate to this convention. He attended the convention and took a conspicuous part in its proceedings. He was an aggressive advocate of an immediate separation from Mexico and yielded gracefully when the majority of the delegates voted to postpone an act so important, and instead, established a Provisional Government and provided for its inauguration and maintenance. When he returned to his home he urged his friends and neighbors to sustain the Government in its efforts to establish order out of chaos. He still, however, clung to the idea that the colonists should proclaim Texas free from Mexico at the earliest practical time. His strong advocacy of this policy was endorsed by his neighbors and therefore when a convention was called to meet at Old Washington, March 1, 1836, he was chosen as one of the delegates to represent the Municipality of Liberty. He reached Old Washington before the meeting of the Convention, but on the afternoon of the

first day he was called to the death bed of a friend some thirty miles distant and did not return in time to vote for the ratification of the Declaration of Independence, but attached his name to it the day following its adoption.

In speaking of Mr. Woods, Mr. Menefee said: "Mr. Woods was a studious man with exemplary habits. Calm at all times. During the two weeks we were in session he never lost his poise during the greatest excitement. He was a great admirer of Mr. Burnet and when his name was suggested as President *ad interim* he manifested great pleasure. He had spent some time with Mr. Burnet at Harrisburg and assisted him in installing his saw mill machinery and while associated with him he became very much attached to him."

Charles B. Stewart said this of Mr. Woods: "Mr. Woods left Old Washington with a full determination to return home and arrange his affairs to join General Houston's army. But on arriving home he was attacked with sickness and took to his bed, where he remained a very sick man for several weeks. I visited him during his illness and he expressed great regrets that he had been unable to carry out his plans. Mr. Woods was a noble man, full of courage and patriotism. I regret that I am unable to give you any information regarding his later career. You must remember that we had no communication with the different settlement—no roads or bridges, and consequently there was little passing from one community to the other."

The above record of Mr. Woods' early life is all the information I have been able to secure of his career. If he has descendants in Texas I have been unable to locate them, though I have labored assiduously to do so.

JOHN TURNER

Signer of the Texas Declaration of Independence

Member of Congress of the Republic—Came to Texas in 1829—Legal Adviser to McMullen and McGloin, Empresarios—Member of the Convention of 1836—Appointed First Chief Justice of San Patricion County—Died in 1840.

John Turner, the talented and accomplished patriot and diplomat from the Municipality of San Patricio, in the Convention of 1836, was a native of North Carolina where he was born December 4, 1802. His parents moved to the new State of Tennessee when he was a child. Here he was brought up and given an education. When his parents moved to Tennessee the state was young, having been admitted to the Union June 1, 1796, and the early settlers had most stirring experiences.

Mrs. Gordon Palmer of Southmont, Massachusetts, in her bibliographical history of the Turner family in America, refers to "John Turner who was a pioneer settler in Texas and a member of the Convention declaring Texas independent of Mexico." According to her bibliographical history John Turner was a direct descendant of James Sterling Turner, who came to America about 1720 and located in Virginia. His descendants drifted to North Carolina and Georgia. One of them located in New York after the Revolutionary War. John Turner sprang from the son of James Sterling Turner who settled near Willow Spring, North Carolina. Several of James Sterling Turner's descendants became famous in this country's history. James Turner, who was born in Virginia, represented North Carolina in the United States from March 4, 1805, to November 21, 1816. After having lived a long life, full of honors, he died in Bloomsbury, North Carolina, January 15, 1824. Another one of James Sterling Turner's descendants, Daniel Turner, was born in Warren County, North Carolina, in 1796; graduated from West Point Military Academy and was Lieutenant of Artillery in the war with Great Britain. He was a member of the House of Commons

of North Carolina, 1819-23, and member of the United States Congress, 1827-29. He was superintending engineer of Public Works at the Mare Island Navy Yards, California, when he died in San Francisco, July 21, 1860.

John Turner prepared himself for the law but did not follow it as a profession, after coming to Texas. He was a man of liberal culture, and when he first grew up he taught school for a few years. Being of a daring nature he came to Texas early in 1829. He spent several months at San Felipe and Victoria before settling permanently in the territory embraced in the Irish Colony of the Empresarios McMullen and McGloin. He became their sub-agent and chief advisor. When the colonists became distrustful of the Mexican Government, Mr. Turner became a leading spokesman for them in Southwestern Texas. When a convention was called to meet at Goliad, December 20, 1835, for the purpose of expressing their sentiments against Mexico, Mr. Turner strongly favored the meeting, but it appears that he failed to take part in it, as his name does not appear among those reported by Ira Ingram, Secretary of this Convention. Several of our early writers tell us that Mr. Turner was a signer to the Goliad Declaration of Independence, though this is very doubtful. However, there is some confusion in our history of this period. Some of the writers of this period record Ira Ingram as a signer of the Washington Declaration of Independence and omit the name of Samuel P. Carson. The original copy of the Declaration of Independence passed at Washington does not bear the name of Mr. Ingram, but does that of Samuel P. Carson. The record of the proceedings of the Convention show, however, that Mr. Ingram was a delegate thereto. One of our historians, as late as 1915, tells us that Asa Mitchell was a signer of the Washington Declaration of Independence. He was not a signed of that instrument.

We do know, however, that John Turner was a delegate to the Washington Convention of March 1, 1836, and was a signer of the Declaration of Independence. Mr. Turner was a member of the First Congress and the records show that during its ses-

sions, which convened at Columbia, Mr. Turner was elected the first Judge of San Patricio County under the Constitutional Government. His commission, which was issued to him by President Houston, bore date of December 20, 1836.

Colonel J. J. Lynn, who knew Mr. Turner intimately, spoke in the highest terms of him as a man and public official. He said: "There was no truer patriot in Texas than John Turner. He was a man of spotless reputation, splendid ability and high attainments. He was moral, humane and brave and was held in the highest esteem. He never sought for place but did not shirk a duty when imposed upon him."

John Power said: "Mr. Turner was one of the best men I ever knew. He was a leader in his community, safe and dependable at all times and under all circumstances."

Facts regarding Mr. Turner's brief career from 1836 to his death in 1840 are needed to complete this brief story of his career.

Mr. Robert J. Warren, of Talladega, Alabama, visited Victoria in 1837, and in a communication addressed to Mr. J. J. Linn, he referred to Mr. Turner in this language:

"I met Mr. John Turner according to appointment and we went over the matter of the Vegra land. He confirmed what you reported regarding it. Mr. Turner was just on the eve of visiting his old home in North Carolinn. I have suggested that if he will delay his trip a fortnight I would accompany him as far as Vicksburg, as he is planning to go via Nacogdoches and Natchitoches. I find Mr. Turner an admirable character and a most agreeable companion. He talks very hopeful of the future for this country and I have about concluded to recommend to my associates the purchase of both of the tracts of land controlled by you and Mr. Turner jointly. I will write you shortly when I can return to Victoria.

Most truly, Robert Jason Warren,

Copano, Nov. 11th.

"P. S.—Since writing the above Mr. Turner has agreed to postpone his trip until I can accompany him, provided that I get off by the 20th. If you can have Mr. Ira Ingram and Asa Mitchell to meet me at Goliad next Wednesday this will enable me to close up my business within the ten days' limit. It will be a great accommodation to me if you will do this as I am very anxious to have Mr. Turner as a companion on my return trip.. "

"WARREN."

Mr. Warren and Mr. Turner left Victoria November 22nd. They made the trip on horseback and reached Nacogdoches on November 28th. Here they remained until December 3rd. A short time after reaching Talladega, Mr. Warren wrote Mr. Linn the following letter:

"Dear Colonel Linn: My associates have accepted my recommendation to purchase the 6400 acres of land controlled by you and Mr. Turner, and I am enclosing instructions from our bank at Montgomery regarding mailing deed and collection of the money, $3,200. Follow their instructions and all will be well.

"We had a pleasant trip. It was just cool enough to make us enjoy our night camp fires. We passed through some beautiful country and reached Nacogdoches on the seventh day. Here we laid up until December 3rd. We were cordially received there. While there we met a number of distinguished men—Robert Potter, Martin Parmer, John Forbes, Charles S. Taylor, John S. Roberts, Stephen W. Blount, and a number of others whose names I cannot recall. They all greeted Mr. Turner with a hearty welcome and showed him many courtesies. He was urged to address the citizens, which he did. He was introduced by Mr. Potter who spoke his praise. Mr. Turner delivered a most patriotic address. He was followed by others * * * * .

"I shall return to Texas early in the summer. I wish to thank you and your good family for your great kindness to me.

"Most truly, Robert Jason Warren."

CLAIBORNE WEST

Signer of the Texas Declaration of Independence

A Native of Tennessee—Came to Texas in 1831*—Member of the Conventions of* 1832, 1833, 1835 *and* 1836*—Member of Legislative Council—Elected Member Congress of the Republic.*

Mr. West was one of the most conspicuous pioneer citizens of Texas from 1831, the date of his arrival in the State, until his retirement from the Congress of the Republic in 1837. His last public service of which we have any record was that as a member of the First Congress of the Republic in 1836-37.

Claiborne West was born in the territory now embraced in Franklin County, Tennessee, November 24, 1800. Here he was reared and educated in the common schools of that period. In 1826 he moved to Louisiana and made Natchitoches his headquarters. He later became interested in the settlement of Texas and made it his permanent home in 1831, and settled in the Municipality of Liberty, but later became a citizen of the Municipality of Jefferson.

Mr. West was bold and fearless and soon became identified with the affairs which most concerned the Colonists. He was described by Jesse H. Cartwright, who served with him in the First Congress of the Republic as "a man of large and towering form, pleasing personality, bold and aggressive." These personal characteristics were evidently pleasing to his neighbors, as when the Convention of 1832 was called to meet at San Felipe they elected him a delegate. He was credited to the Municipality of Liberty. He was a useful member of this Convention and took a lively interest in its proceedings. This Convention was called for the purpose of uniting in a protest to the Mexican Government against the enforcement of certain decrees adopted by Bustamente's Congress. These decrees were held to be in direct conflict with the Constitution of 1824, under which the peace and security of the Colonies were guaranteed. When Santa Anna rose in rebellion against Bustamente and espoused the cause of

a republican form of Government and pledged the restoration of the Constitution of 1824, the Colonies took new courage and supported his policies and refused to longer submit to Bustamente's military despotism. When the Convention of 1832 was called, it was not to express bitterness against the Mexican Government but to unite in a presentation to that Government of certain conditions that had caused distrust and unrest among the settlers. The callers of this Convention had no thought of creating a feeling of rebellion against the existing Government of Mexico. Having espoused the cause of Santa Anna, it was natural for them to appeal to him. This Convention sent its memorial to Santa Anna, but nothing coming from it a second Convention was called to meet at San Felipe, April, 1833. Mr. West was likewise elected a delegate to this Convention, which he attended. This convention, like that of 1832, was called to urge the Mexican Government to set aside decrees promulgated by Bustamente. In additional to a petition to set aside Bustamente's decrees, it adopted a Constitution for Texas and urged that it be made a State, separate from that of Coahuila. Just what became of this second memorial is a matter of historical record. Mr. West was a conscientious advocate of the reforms recommended by this Convention and expressed faith in the Mexican Government. In the meantime, he had changed his place of residence from the Municipality of Liberty to that of Jefferson. His reputation as a man of firmness and aggressiveness preceded him and when the Consultation was called to meet at San Felipe, November, 1835, his neighbors elected him a delegate. He attended this Convention and was recognized as a man of power and influence. When the Consultation organized a Provisional State Government by electing Henry Smith, Governor, and J. W. Robinson, Lieutenant-Governor, and created a Legislative Council, Mr. West was elected a member of this Council. He was elected a member of the Committee on Naval Affairs of the Council and favored the immediate establishment of a Navy for the Provisional Government. Through his influence largely, the Council passed an ordinance establishing a

Navy. When Governor Smith vetoed this ordinance, he voted to pass it over the Governor's veto. Failing in this, Mr. West joined Governor Smith's critics in the Council and later signed the impeachment charges against him.

When Governor Smith sent to the Council his famous message in which he enclosed a report from Colonel Neill, stationed at San Antonio, giving a detailed account of the conduct of Colonels Johnson and Grant in taking from the Army at San Antonio certain supplies, Mr. West was appointed on a committee to consider the message and to report thereon the following day. The committee report was a severe rebuke to Governor Smith for the language used in his message. After the Council adopted this report, Mr. West was appointed on the committee to prepare an address to the people of the State, detailing an account of the trouble between the Council and Governor Smith. This committee was composed of the following members of the Council: R. R. Royall, Chairman; Alexander Thompson, Claiborne West, J. D. Clements and John McMullen.

The Committee made its report on January 11, 1836, which was promptly adopted by the Council. Closely following the issuance of this address, Mr. West resigned his seat in the Council. On the following day, January 14, the Council passed a resolution of thanks "for his prompt and efficient and firm manner in which he had discharged his duty as a member of the Council."

While a member of the Council, Mr. West was appointed a commissioner to dispose of certain animals belonging to the Government. He performed this service and deposited the proceeds of the sale in the Treasury as shown by by the records, January 8, 1836.

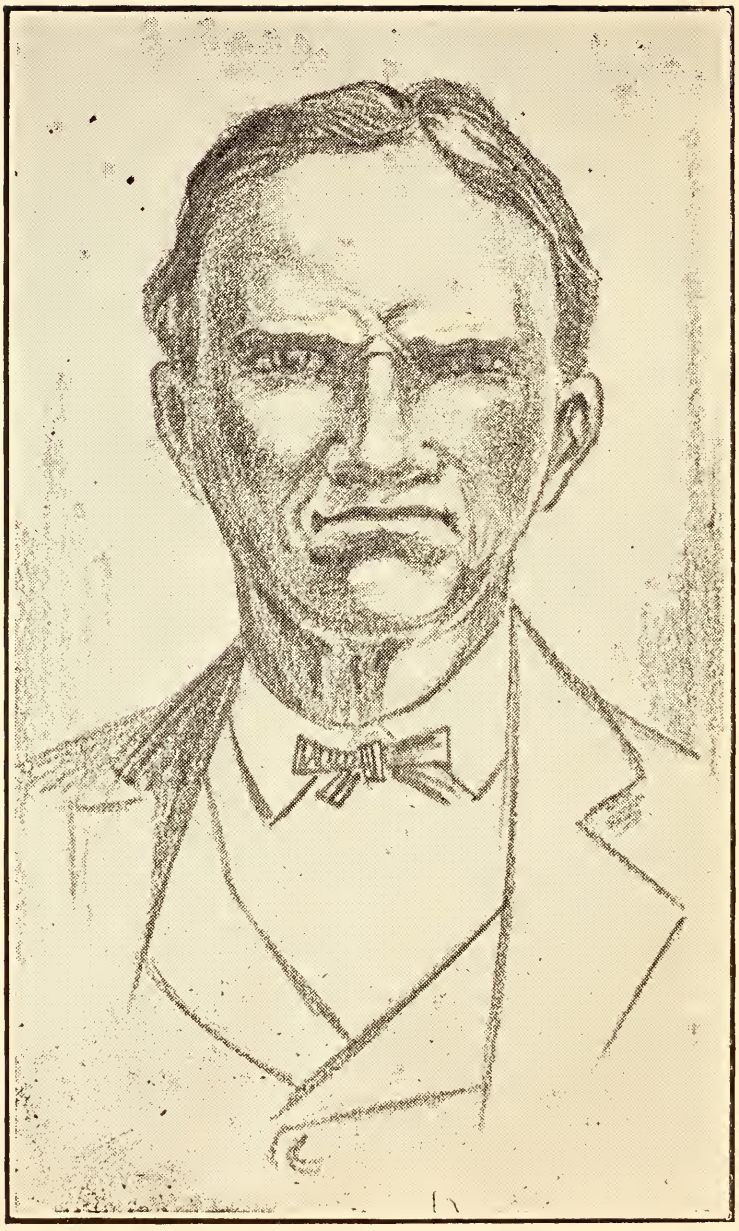
Regarding Mr. West's resignation from the Council, Mr. James Power said: "Mr West was a patriot and after reflecting on the course the Council had pursued, he concluded that its actions were unwise and rather than try to undo what he had helped it to do, he simply resigned to avoid criticism and further complications."

Mr. Power's conclusions are in all probability correct, as Mr. West's course before the Committee of the Convention at Washington was one of conciliation, as shown in another chapter of this series. Then too, Robert Potter stated on the floor of the Fifth Senate that Mr. West had expressed his regrets of his course in the controversy with Governor Smith.

When the Convention was called to meet at Old Washington, March 1, 1836, Mr. West was elected a delegate. He attended the Convention and was a prominent participant in its proceedings. He strongly advocated a separation from Mexico and was a signer of the Declaration of Independence. He was appointed a member of the committee to draft a Constitution for the new Republic. He was a strong supporter of the war with Mexico and gave freely of his time and means in forwarding supplies and equipping volunteers for the army. By this he rendered great service. When the news reached him of Santa Anna's defeat at San Jacinto he was busy securing recruits for the army and was making final arrangements to offer his personal services to General Houston. After the establishment of the Republic, Mr. West was elected a member of the First Congress from the Municipality of Jefferson.

I regret that I have been unable to secure a record of Mr. West's further services to the Republic or any further account of his activities.

Mr. West has a number of descendants in this State who are highly esteemed for their useful service to society and the State.



EDWIN WALLER

EDWIN WALLER

Signer of the Texas Declaration of Independence and Postmaster-General of the Republic of Texas

Came to Texas in 1831—In Battle of Velasco—Arrested by Mexicans—Government Agent to Establish Capitol at Austin—Member Secession Convention—Retires from Public Life—Death.

Edwin Waller was one of the noblest characters in Texas history. His long and eventful career was full of honors. From his landing in Texas early in 1831 to his death fifty-two years later, he lived a life worthy of emulation. It can be truly said of him that he filled the cup of expectancy full to the brim. He began his labors in behalf of his adopted country very soon after reaching her shores and throughout his long residence within her borders, he devoted his great talents and energies to her promotion and betterment.

"Edwin Waller," said Major Moses Austin Bryan, "was a man of wondreful ability to plan and execute. He was not brilliant in speech as was Wharton, or convincing in debate as was Williamson, but he possessed traits which distinguished both of these patriots—firmness, judgment and personal magnetism. He was courageous but courteous; firm but not obstinate; affable but not too familiar. I knew his as a soldier, civilian and official, but he was Edwin Waller all the while. He never lost his head when success crowned his labors, nor cowed amidst adversity. He was master of his emotions and impulses, always affable and courteous in speech and act, though when his honor was assailed he was quick as a tiger to defend his good name. I knew nearly all the leaders during the Republic's building, but none surpassed Edwin Waller in courage and devotion to the principles of justice and liberty."

These words were spoken by Mr. Bryan at a banquet tendered by the citizens of Palentine to the Texas Veterans' Association at its annual convention in the early eighties. Colonel Waller, as the first President of the Association, was the honor guest. The speech delivered by Major Bryan was in response to the toast to Colonel Waller. I shall never forget the emotions that swelled Colonel Waller's bosom as Major Bryan spoke these words of ap-

preciation and praise of one whose deeds of valor and heroism lent a charm to his life. There were present those who were with Mr. Waller at Velasco in 1832 and tears filled the eyes of many of the old Veterans who sat entranced by the eloquence of Frank R. Lubbock, Guy M. Bryan and others of equal prominence. It was there I met many of the noble band who fought with Houston and Rusk at San Jacinto; with Milam and Burleson at Bexar, and there were some who escaped massacre at Goliad when Fannin and Ward and their brave companions fell. It was there I renewed my acquaintance with Colonel Waller, having met him in 1875. Of that band of patriots was Henry Percy Brewster, R. J. Calder, John C. Duval, Stephen W. Blount, Stephen H. Darden, Geo. P. Erath, Frank W. Johnson, F. R. Lubbock, E. M. Pease, W. P. Hardeman, J. M. Hill, Big Foot Wallace, Guy M. Bryan, Charles DeMorse, Alonzo Steel, John S. Ford, A. Deffenbaugh, Frank Gentry, Charles A. Sterne, and many others whose deeds of valor and patriotism cast a halo around their names. Of that illustrious noble band but one survives, Charles A. Sterne of Palestine. That event will ever be a pleasant memory to him. He is nearing the century mark, having spent all his days of honor and usefulness in Texas. He was born in Texas before the establishment of the Republic; his life is a golden bond, linking the past with the present. We hope for him many more years of honor and usefulness.

Edwin Waller was born in Spottsylvania County, Virginia, March 16, 1800. When a child his parents moved to the territory of Missouri. Here he was reared and given an academic education. He came to Texas in 1831 and located in the Municipality of Brazoria. He very soon took a prominent part in affairs effecting the colonists and was one of the first to defy military authority at Fort Velasco. He was the owner of a small vessel, the Sabine, which was used in transporting cotton and other products to New Orleans and other markets.

When in 1832 a cargo was ready to sail for New Orleans, the commander at Fort Velasco informed the captain of the Sabine, Jerry Brown, that he would have to pay duty and secure a clear-

ance for his vessel from Colonel Bradburn at Anahuac before he would be allowed to sail. Captain Brown sought Mr. Waller and advised him of this demand. This being the first time such demand had been made, it angered Mr. Waller. He secured the presence of Colonel W. H. Wharton to accompany him on a visit to the Commander at Fort Velasco. He offered to pay fifty dollars for permission to sail. The Commander demanded twice that sum. Mr. Waller felt that this was an unjust demand and refused to pay it. After expressing his opinion of such an unjust demand, Mr. Waller retired. He called Captain Brown and persuaded him to attempt to "run the blockade." He accordingly prepared for the passage. The vessel succeeded in passing out, though it was fired upon by the fort. When the Sabine succeeded in running the blockade, another vessel lying higher up the river, commanded by Captain Fuller, set sail in its wake. As the Sabine sailed out of reach of the small arms from the Fort, the passengers on her deck shouted in triumph. This angered the Mexicans and they opened fire on Captain Fuller's vessel. "Before the vessel passed out of range," wrote P. E. Pearson in his "Life of Edwin Waller," "a shot from the Mexicans struck the tiller or helm held by Captain Fuller, wounding him; he immediately called for his rifle, intending to return the salute, when a young man, Spencer Jack * * * * asked leave to fire the gun, and did so with good effect, as he wounded a Mexican in the thigh. This worthy set up a howl of such pain and fright that his comrades ceased firing and gathered in disorder around him, under which diversion Captain Fuller sailed on his victorious way."

For this defiance of Mexican authority, Colonel Wharton and Mr. Waller were arrested and carried inside the fort. Colonel Wharton was soon released but Mr. Waller was sentenced to be sent to Matamoras to be tried by the authorities there. Colonel Wharton, however, finally secured his release and peace was restored.

"This occurrence," said Mr. Pearson, "was really the detonating spark which fired the train of revolution; this was the capstone to the arch of

national feeling which had been gradually growing in the minds of the American settlers; this was, in fact, the bud of the Texas Revolution, as Boston had been before the revolt—the secession from England. The desire to resist Mexican authority was here aroused by the belief that it could be done successfully. The first gun sounded when young Jack fired and wounded the Mexican soldier.''

Very soon after this incident, in which Mr. Waller played a conspicuous part, came the conflict at Velasco which resulted in the defeat of the garrison at that place. In bringing about this conflict Mr. Waller was a moving spirit. A meeting was held at Brazoria, presided over by his friend Colonel W. H. Wharton, and called for the purpose of deciding what course the citizens would pursue regarding the trouble at Anahuac arising from the arrest and imprisonment of several distinguished Texans. After deliberating a short time the whole matter was left to the decision of a committee of five, to be appointed by the Chair. Mr. Wharton appointed Mr. Waller Chairman of the Committee. The committee retired and soon reported in favor of taking steps to go to the rescue of the imprisoned Texans at Anahuac. A military force was forthwith organized with John Austin in command. They fitted out a vessel and manned it with cannon, to transport the troops and supplies to Anahuac. A commission was appointed to interview the commander at Fort Velasco and secure from him his consent for the vessel to pass the fort. This was preemptorily refused. As a result, they attacked the fort and after a fierce engagement, captured it with its garrison. Thus was fought the historic Battle of Velasco, in which Mr. Waller was a gallant participant. The trouble at Anahuac was speedily adjusted and Austin's troops soon disbanded.

In 1835 Mr. Waller was appointed Alcalde of Brazoria. He was a member of the Consultation Convention of 1835 and served for a short time as a member of the General Council. He was a member of the Convention which met at Old Washington, March 1, 1836, and took part in the adoption of the Declaration of Independence and was an early signer to it. He was one of the committee to frame a Constitution for the Republic.

In 1839 Mr. Waller was the agent of the Government in establishing and laying out the City of Austin, which had been selected as the seat of government for the Republic. He was chosen Austin's first Mayor, in 1840. He served for a brief period as Postmaster-General of the Republic. In 1840 he was with Burleson in the Plum Creek battle with the Comanche Indians, who were returning from their raids on Victoria and Linnville.

Mr. Waller was a member of the Secession Convention in 1861. He presided over the first meeting of the Texas Veterans' Association at Houston in 1873.

He moved to Austin in 1876, but soon returned to his farm in Austin County, where he died in 1883.

We cannot, with justice to Mr. Waller's memory, close this brief sketch of his activities, without referring more at length to the great services he rendered the Republic when, as its agent, he undertook to lay out a city in the then wilderness and build a capitol for the occupancy of the Government. Skilled labor and material were scarce. But Mr. Waller went at the work with a determination seldom equalled. He was charged with grave responsibilities—the laying out and planning a city and the erection of necessary buildings for the housing of the Government. He accomplished the task with great credit to his genius, and the City of Austin stands a silent testimonial of the invaluable service he rendered the Republic. He began his work early in May, 1839, and completed it in November. The buildings erected by him, of course, were of planks and logs made of native timber and in consequence presented no very creditable appearance, but they were substantial, serviceable and comfortable. On October 17, 1839, President Lamar with a portion of his Cabinet, arrived in Austin. It was a gala day for Austin and there was great rejoicing among the citizens. The Presidential party was met a few miles from the Capitol by a large procession headed by Generals Edward Burleson and Albert Sidney Johnston, the Secretary of War, who had preceded the President. Mr. Waller had been selected by the citizens of Aus-

tin and the State to deliver an address welcoming the President to his Capitol. This address has been preserved. It was an account of his stewardship. He related, in terse language, the many disadvantages under which he had labored; he told of misrepresentations of the location, circulated to embarrass him in securing labor and material. "But," said he, "I have obeyed your instructions."

Mr. Waller proved himself to be a man of superior executive ability; a man of will and a bundle of nervous energy. He was held in high esteem as a man of honor and strict integrity. His record shows that he was brave, courageous and patriotic.

I became acquainted with Edwin Waller when I was a school boy and in after years our acquaintanceship ripened into warm friendship. On one of my visits to him we discussed many of the events of early Texas history—the Consultation, the Convention at Old Washington and the men who composed the delegation to these conventions. Mr. Waller knew intimately most of the prominent men of the pioneer days of Texas and furnished me many facts regarding their lives and achievements, and many facts regarding their personal history. The information secured from him has enable me to give to the public, for the first time, many interesting reminiscences of that noble band who conquered the wilderness of Texas and made it a favorable habitation for the brave and progressive men and women who came and established a civilization where civilization was unknown. We owe much to these pioneers and we should give full measure of credit for what they did for civilization. Texas should become a land of monuments as it is a land of memories—monuments commemorating their deeds of valor, of sacrifice and patriotic devotion to the principles of equity, justice and liberty.

When Waller County was created from Grimes and Austin Counties in 1873, it was named in his honor.

JESSE B. BADGETT

Signer of the Texas Declaration of Independence

Early Life in Arkansas—Comes to Texas in 1829—Delegate to Convention at Old Washington on March 1, 1836.

This brief sketch of Jesse B. Badgett brings this series—"The Men Who Made Texas Free"—to a close.

Jesse B. Badgett was born in North Carolina, March 7, 1807. When he was a child his parents moved to the territory of Arkansas and settled on the upper Arkansas river. Being pioneers of that undeveloped region they experienced many privations—privations that are always incident to pioneer life. They built in Jesse B. Badgett, however, a robust manhood and undaunted courage. As he grew to manhood new duties and new responsibilities had to be assumed. The country was wild and thinly settled. Hunting, fishing and trapping were the chief avocation of the pioneers, with an occasional brush with the nomadic bands of Indians who possessed the valleys of the streams and refused to welcome their invasion by the whites. As a consequence living on the Arkansas frontier at that period was attended by many thrills. The country was full of game and fur bearing animals were abundant. It was the dealing in their pelts that angered the native tribes of Indians who desired to reserve them for their own use. Young Badgett grew up under these environments and when he came to Texas early in 1829, he was hardened by privations and experiences and readily adapted himself to pioneer conditions which faced him. In coming to Texas he located in the municipality of Bexar, near San Antonio. I have been unable to record how he passed the time until the convention at Old Washington, March 1, 1836, neither have I been able to secure any information regarding his carreer following that convention.

When the convention was called to meet at Old Washington, March 1, 1836, Mr. Badgett was elected a delegate. He took part in its proceedings and attached his name to the Declaration of Independence adopted by the convention March 2, 1836.

"Mr. Badgett," said Mr. Menefee, "was a man of large and muscular frame and wore a full beard which was dark, as was the hair of his head. He was not a man of many words, but when addressed he always responded cordially."

In closing this brief review of the life story of the *"Men Who Made Texas Free"* which has been confined to the signers of the Declaration of Texas Independence I feel that this explanation should be made. All the early writers of Texas history and some of the later ones include Ira Brigham as one of the signers of the Declaration of Independence and omit from the list the name of Samuel P. Carson. The original copy of that instrument in the State Library at Austin shows that Samuel P. Carson was one of its signers, but it does not include the name of Ira Brigham.

One of our most recent historians and for whom I have great personal respect says this of Asa Mitchell. "In 1835 he was a member of the Consultation and later a member of the Constitutional Convention of 1836 and a signer of the Declaration of Independence."

Of course this is an error. Mr. Mitchell was a member of the Consultation, 1835, but not of the Convention which met at Old Washington and declared Texas independent of Mexico and consequently could not have been a signer of the Declaration of Independence.

So many errors have been recorded by our careless writers of Texas history that the painstaking student is often confused in an effort for accuracy. To correct all these errors would wear threadbare the patience of the careful student. But it should be done.

"The State of Texas has never shown the proper appreciation of this band of patriots who threw off the yoke of Mexican tyranny. They were an ideal type of patriots—heroes—as the world has ever known. They lie in most instances in neglected graves scattered throughout the state for whose present greatness they laid the secure foundation. The bodies of some of them lay in unhonored graves in other states. They were all men of courage, of initiative and of fearless independence, standing firmly

for mental as well as the physical liberty of the individual. With them, both religion and political tolerance were the strongest support of our government.

"Their sleeping places should be searched out by the State which enjoys the heritage of their achievements and marked by fitting monuments that the generations to come may bow in reverence before them and receive inspiration."

In the prepartion of my sketches of the lives of the signers of the Texas Declaration of Independence I have received valuable assistance from distinguished citizens interested in our early Texas history. Especially am I indebted to Mrs. A. B. Looscan of Houston, president of the Texas State Historical Association; Miss Adina de Zavala and Dr. J. E. Mayfield of San Antonio; Rev. Geo. C. Crocket, San Augustine; Lewis R. Bryan, Houston; J. L. Sylvester, Louisville, Ky.; Geo. L. Bates, Richmond, Va.; Simon P. Chave, New York; L. M. Donley, New Orleans; James W. Fisher, Washington, D. C.; Benjamin Goodrich, now deceased, Los Angeles, California; Bert Blessington and John Elmer Sieber, Houston, and a host of others whose kindly assistance has made it possible to assemble the facts given in this volume.

The author is under special obligation to Mr. Bert Blessington of Houston for his photograph drawings made from old and faded photos, of the signers of the Declaration of Independence.

R01197 10044

R01197 10044